



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.
LIMITED

CEDAW/C/1997/II/L.1
11 July 1997

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
Seventeenth session
7-25 July 1997

ADOPTION OF THE REPORT OF THE COMMITTEE ON THE ELIMINATION
OF DISCRIMINATION AGAINST WOMEN ON ITS SEVENTEENTH SESSION

Rapporteur: Ms. Aurora JAVATE DE DIOS

II. ORGANIZATIONAL AND OTHER MATTERS

A. States parties to the Convention on the Elimination
of All Forms of Discrimination against Women

1. On 25 July 1997, the closing date of the seventeenth session of the Committee on the Elimination of Discrimination against Women there were ... States parties to the Convention on the Elimination of All Forms of Discrimination against Women, which was adopted by the General Assembly in its resolution 34/180 of 18 December 1979 and opened for signature, ratification and accession in New York in March 1980. In accordance with article 27, the Convention entered into force on 3 September 1981.

2. A list of States parties to the Convention is contained in annex I to the present report.

B. Opening of the session

3. The Committee held its seventeenth session at United Nations Headquarters from 7 to 25 July 1997. The Committee held ... plenary meetings and its two working groups each held ... meetings. A sub-group of Working Group I on the revised rules of procedure of the Committee held ... meetings.

4. The session was opened by the Chairperson of the Committee, Ms. Salma Khan (Bangladesh), who had been elected at the sixteenth session of the Committee in January 1997.

5. Addressing the Committee on behalf of the Secretary-General and the Assistant Secretary-General and Special Adviser on Gender Issues, the Deputy Director of the Division for the Advancement of Women, Ms. Kristen Timothy, stated that the seventeenth session of the Committee was an historic occasion as it was the first time that it was meeting for a second annual session.

6. She noted that the General Assembly's approval of the second session was an interim measure pending the acceptance of two thirds of the States parties to the Convention of the amendment of article 20 (1). At present, 14 States parties had accepted the amendment. She added that since the sixteenth session of the Committee, five more countries had become States parties to the Convention, namely Kyrgyzstan on 10 February 1997, Switzerland on 27 March 1997, Mozambique on 16 April 1997, Lebanon on 21 April 1997 and Turkmenistan on 1 May 1997.

7. She said that significant progress had been made towards the elaboration of an optional protocol to the Convention, which would provide for the right to petition the Committee. The open-ended working group of the Commission on the Status of Women, which met for the first time in parallel with the fortieth session of the Commission, had continued its work at the forty-first session in March 1997. She indicated that the working group had considered a draft optional protocol prepared by its Chairperson, Ms. Aloisia Woergetter of Austria, on the basis of the Committee's suggestion number 7 and comments made by Member States. She informed the Committee that the first reading of the Chairperson's draft had been completed by the working group, and the draft would be built upon when the Commission met in 1998. The Commission had again invited a representative of the Committee to attend as a resource person of the open-ended working group when it met during its forty-second and forty-third sessions, in 1998 and 1999, respectively.

8. The Deputy Director informed the Committee that the Commission at its forty-first session had marked the fiftieth anniversary since its establishment. She noted that at its forty-second session, the Commission would review four critical areas of concern of the Beijing Platform for Action, adopted by the Fourth World Conference on Women, held at Beijing in 1995, which incorporate issues of central importance to the Committee: violence against women; women in armed conflict; human rights of women; and the girl child. As part of the preparations for the Commission's session, the Division for the Advancement of Women would convene expert group meetings on those issues. She pointed out that the Division would welcome inputs from the Committee on the substance of the expert group meetings.

9. The Deputy Director stated that the Division was working closely with non-governmental organizations to prepare for the fiftieth anniversary of the Universal Declaration of Human Rights in 1998 and suggested that the Committee might consider making a contribution to the observation of that anniversary.

10. She commended the pre-session working group of the Committee on its work and suggested that the Committee might wish to consider further ways in which the Secretariat could assist the working group to fulfil its task. She also suggested that the Committee might wish to revisit the question of the timing of the pre-session working group.

11. The Deputy Director informed the Committee that since its last session the working methods of United Nations human rights treaty bodies had been subjected to scrutiny by at least two academic conferences. The final report on enhancing their long-term effectiveness had been submitted to the Commission on Human Rights at its fifty-third session in March 1997.

C. Attendance

12. With the exception of Ms. Hanna Beate Schöpp-Schilling and Ms. Mervat Tallawy, all members of the Committee attended the seventeenth session; Ms. Tendai Ruth Bare attended from ..., Ms. Miriam Estrada attended from 10 to 25 July and Ms. Anne-Lise Ryel and Ms. Ginko Sato attended from 7 to 11 July.

13. A list of the members of the Committee and the duration of their terms of office, appears in annex II to the present report.

D. Solemn declaration

14. At the opening of the seventeenth session, before assuming her functions, the re-elected member of the Committee, Ms. Kongit Sinegiorgis (Ethiopia), made the solemn declaration as provided for under rule 10 of the rules of procedure of the Committee.

E. Adoption of the agenda and organization of work

15. The Committee considered the provisional agenda and organization of work (CEDAW/C/1997/II/1) at its 334th meeting, on 7 July 1997. Before adopting the agenda, the Committee agreed with the proposal of its Bureau to consider the third report of Italy on the basis of an English text only, noting that it would do so only on an exceptional basis. The agenda as adopted was as follows:

1. Opening of the session.
2. Solemn declaration by the new member of the Committee.
3. Adoption of the agenda and organization of work.
4. Report of the Chairperson on activities undertaken between the sixteenth and seventeenth sessions of the Committee.
5. Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women.
6. Implementation of article 21 of the Convention on the Elimination of All Forms of Discrimination against Women.
7. Ways and means of expediting the work of the Committee.

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8. Provisional agenda for the eighteenth session.
9. Adoption of the report of the Committee on its seventeenth session.

F. Report of the pre-session working group

16. The Committee had decided, at its ninth session, to convene a pre-session working group for five days before each session to prepare lists of questions relating to second and subsequent periodic reports that would be considered by the Committee at the session.

17. The following three members participated in the working group:

Aurora Javate de Dios (Asia and the Pacific)

Ayse Feride Acar (Europe)

Miriam Estrada (Latin America and the Caribbean).

The working group completed its task in four days, the fifth day being a holiday.

18. The working group prepared lists of issues and questions on four States parties' reports: Argentina, Australia, Bangladesh and Italy.

19. At the 342nd meeting, on 11 July 1997, the Chairperson of the pre-session working group introduced the report of the group (CEDAW/C/1997/II/CRP.1 and Add.1-4).

G. Composition and organization of work of the working groups

20. At its 335th meeting, on 7 July 1997, the Committee agreed on the composition of its two standing working groups: Working Group I, to consider ways and means of expediting the work of the Committee, and Working Group II, to consider ways and means of implementing article 21 of the Convention. A sub-group of Working Group I was established to review the draft revised rules of procedure of the Committee.

21. Working Group I was composed of the following members of the Committee: Ayse Feride Acar, Emna Aouij, Desiree Bernard, Silvia Cartwright, Ivanka Corti, Yolanda Ferrer Gomez, Aurora Javate de Dios, Salma Khan, Yung-Chung Kim, Aida Gonzalez Martinez, Ahoua Ouedraogo, Anne Lise Ryel, Ginko Sato, Carmel Shalev, Lin Shangzhen and Kongit Sinegiorgis. The sub-group to review the revised draft rules of procedure was comprised of Desiree Bernard, Silvia Cartwright, Ivanka Corti, Aida Gonzalez Martinez and Kongit Sinegiorgis.

22. Working Group II was composed of the following members of the Committee: Aida Gonzalez Martinez, Carlota Bustelo, Charlotte Abaka, Sunaryati Hartono, Ahoua Ouedraogo, Carmel Shalev, Silvia Cartwright and Lin Shangzhen.

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23. The specific issues addressed by Working Groups I and II were as follows:

(a) Working Group I. Overdue reports and withdrawal of reports and other practices; draft guidelines on concluding comments; report of the independent expert on effective functioning of bodies established pursuant to United Nations human rights instruments; methods of work and timing of the pre-session working group; relations with the Special Rapporteur on Violence against Women and other rapporteurs; seminars to be developed by the Committee; and reports to be considered at the nineteenth and twentieth sessions of the Committee;

(b) Working Group II. Method of formulation of general recommendations and long-term programme of work in this regard (i.e., articles to be the focus of general recommendations); relations with specialized agencies; possible contribution of the Committee to the Fiftieth Anniversary of the Universal Declaration of Human Rights, e.g., statement for the Commission on Human Rights; and briefing for the resource person on the working group on the optional protocol.

Notes

A/CONF.177/20, chap. I, resolution 1, annex II.



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Addendum

III. REPORT OF THE CHAIRPERSON ON THE ACTIVITIES
UNDERTAKEN BETWEEN THE SIXTEENTH AND
SEVENTEENTH SESSIONS OF THE COMMITTEE

1. The Chairperson of the Committee noted that most of her activities between the sixteenth and seventeenth sessions of the Committee had consisted of participating in seminars on the Convention organized by non-governmental organizations. The only United Nations meeting she had attended was the forty-first session of the Commission on the Status of Women, which was of particular importance because of the parallel open-ended working group on the draft optional protocol to the Convention.
2. The Chairperson informed the Committee that throughout its meetings, the open-ended working group had been appreciative of comments and replies to questions by Ms. Silvia Cartwright, who had participated as a resource person on behalf of the Committee.
3. The Chairperson stated that the Committee had not been directly represented during the Commission on Human Rights, but that Ms. Ivanka Corti had attended in her capacity as Chairperson of the meeting of persons chairing human rights treaty bodies. The Chairperson suggested that in the future the Committee should be represented independently.
4. The Chairperson described the various meetings of non-governmental organizations in which she had participated. From 8 to 10 April 1997, she had attended an international roundtable held at Amman, entitled "Equal

Opportunities for Women: A Question of Rights and Humanity", convened by the London-based Rights and Humanity Group. On 8 and 9 May 1997, she had attended a roundtable at New Delhi on "United Nations Reforms Good Governance and Civil Society", organized jointly by the Commission on Global Governance, the United Nations Development Fund for Women and Women's Feature Services. From 23 to 28 February, she had visited the Islamic Republic of Iran at the invitation of the Government of the Islamic Republic of Iran and had addressed the Women's Solidarity Association of the Islamic Republic of Iran on the Convention and the role and responsibility of the Committee and States parties to the Convention in relation to the human and social rights of women. She had visited the Republic of South Africa from 25 to 31 May 1997, at the invitation of the National Institute for Public Interest Laws and Research, sharing her experiences of training in her own country with respect to the Committee, and giving briefings on the working procedures of the Committee.

5. The Chairperson reminded members that the Committee had adopted general recommendation No. 23 on articles 7 and 8 at its sixteenth session. She pointed out that various members of the Committee had suggested that new procedures were necessary for the adoption of general recommendations, as was the development by the Committee of a long-term programme of work for general recommendations. She informed the Committee that Ms. Carmel Shalev had proposed that the Committee begin work on a general recommendation on article 12 relating to women's health.

6. The Chairperson recalled that the Committee had decided at its sixteenth session to continue the review of its rules of procedure at the seventeenth session.

7. Ms. Cartwright, the representative of the Committee as resource person to the open-ended working group of the Commission on the Status of Women on the draft optional protocol to the Convention, noted that support for the proposed optional protocol to the Convention, which would provide for the right to petition the Committee, had gained momentum since 1996. She had noted broad support for the inclusion of an inquiry procedure in the protocol. Ms. Cartwright indicated that there remained major issues to be considered by the working group, including the question of who should be entitled to lodge complaints with the Committee under any protocol and the resource implications of any protocol. She suggested that the work under any optional protocol should be conducted by a designated sub-group of Committee experts and that the Committee begin to consider working methods and procedures that would be employed when the protocol entered into force. Ms. Cartwright requested the Secretariat to provide the Committee with a report relating to the procedures of the Human Rights Committee, the Committee on the Elimination of Racial Discrimination and the Committee against Torture with regard to their communications procedures and suggested that the Committee on the Elimination of Discrimination against Women consider appropriate procedures for an optional protocol at its nineteenth session.

8. Ms. Corti indicated that she had attended the fifty-third session of the Commission on Human Rights in her capacity of chairperson of the meeting of persons chairing human rights treaty bodies. She had also had attended the third meeting of the special rapporteurs/representatives/experts and chairmen of working groups of the special procedures and the advisory services programme of

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the Commission on Human Rights (meeting of human rights special procedures) in May 1996, in the same capacity. Ms. Corti underlined the importance of the treaty bodies, and particularly the Committee, within the human rights framework and suggested that the Commission on Human Rights should give more prominence to the role of these bodies. Ms. Corti also suggested that the Committee should further develop its links with the Centre for Human Rights and take steps to develop a closer relationship with the Special Rapporteur on Violence against Women, its causes and consequences.



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Draft report

Rapporteur: Ms. Aurora JAVATE DE DIOS

Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

1. Initial reports of States parties

Namibia

1. The Committee considered the initial report of Namibia (CEDAW/C/NAM/1) at its 336th, 337th and 342nd meetings, on 8 and 11 July 1997.
2. The report was introduced by the Director-General of Namibia's Department of Women Affairs in the Office of the President. She recounted that Namibia had acceded to the Convention on the Elimination of All Forms of Discrimination against Women, without reservations, on 23 November 1992, within two years of gaining its independence. The Convention had served as a complement to a Constitution designed to promote the rights of women.
3. The Department of Women Affairs had been established shortly after independence in 1990. Its aim was to ensure the integration of women into the overall development process, to guide policy formulation, to monitor its implementation and to see that the gender component was always taken into account. The Department actively publicized the Convention and encouraged women

to assert their rights. The representative explained that all government policies and programmes in Namibia would be guided by a more integrated gender policy to be finalized in 1997.

4. She explained that Namibia's initial report described nine gender-sectoral committees comprising representatives of governmental and non-governmental organizations who were consulted in the implementation of national programmes to ensure that all government policies and programmes were gender-sensitive.

5. The initial report, which had been submitted to the Secretariat in 1996, covered the period from 1992 to 1995. The representative summarized the report and supplied further information up to 1997, thereby giving an up-to-date summary of the situation in Namibia. She highlighted the Married Persons Equality Act, which had been passed since the submission of the report, and which provided for equality between spouses in financial transactions, marital property and guardianship of children.

6. The Committee was informed that the Department of Women Affairs was in the process of formulating a national gender policy, and that the Law Reform and Development Commission had responsibility for guiding law reform, which would remove all existing legal discrimination against women. Violence against women and children had emerged as one of the greatest challenges to the advancement of women in Namibia, and was perceived to be a widespread and serious problem despite a lack of current statistical information. Legislation was currently being enacted to address violence against women. Reports of rape and attempted rape were increasing annually, and there were calls for law reform in that area, as the current law remained discriminatory in some areas and was considered ineffective.

7. Religious beliefs, cultural practices and remaining inequities under general and customary laws were factors that continued to allow men to dominate women in the family context. Sexual stereotyping of women as "mothers" had led to difficulties for many women in choosing career paths other than motherhood. Regional gender workshops organized by the Government were being used to combat sexual stereotyping.

8. The representative stated that there had been a slight improvement in the proportion of women in political positions, and that the impact of women in Parliament would be strengthened by the Parliamentary Women's Caucus. She emphasized that the implementation of affirmative action would serve to attract the participation of more women in politics. Women still tended to be under-represented in senior positions in both government and the private sector. Namibia's first woman judge had been appointed since the initial report was completed, and the post of Ombudsman was occupied by a woman.

9. The Namibian Constitution guaranteed the right of education to all persons, and education was compulsory up to 16 years of age. Female enrolment had increased at every age level, and there had been a corresponding improvement in female literacy amongst younger age groups. Teenage pregnancy, which was common, was the biggest challenge to female educational advancement. It was a major factor in the school drop-out rate for girls.

10. Sex discrimination and sexual harassment in the labour sector was forbidden by the 1992 Labour Act. Equal pay for equal work was a mandate of the Act, although women presently worked in occupations that tended to be associated with low levels of remuneration. Rural women were the largest demographic group in Namibia.

11. Namibia's fertility rate was one of the highest in the world and the Government continued to be committed to reducing that rate through public campaigns and expanded family planning services. Abortion was illegal, except in cases of incest and rape and for reasons of health of the mother or baby. Legal abortions and infanticide were significant problems in Namibia, but the law on abortion and sterilization was under discussion. There was also a high incidence of polygamy in some communities. Human immunodeficiency virus and acquired immunodeficiency syndrome were increasing at an alarming rate, especially among women as a result of their low social and economic status.

12. Workshops to implement the Beijing Platform for Action were being carried out nationally, and community programmes were being developed. The Convention and the Platform for Action were seen as complementary and of equal importance, but she noted that the implementation of both was affected by a lack of funds. She reminded the Committee that Namibia had made a firm commitment at the Fourth World Conference on Women to pay special attention in four areas: education, training and the girl child; women and law; violence against women and children; and health.

13. The representative concluded that Namibia had made great strides in improving the position of women, although it would take more time to transform Namibia into a truly gender-equal society. That was a realizable objective because of the willingness of Namibian women to have their voices heard, and the progressive realization of the guarantees in the Constitution and the Convention, and the promises of the Platform for Action.

Concluding comments of the Committee

14. The Committee thanked the State party for its report, which was both well-structured and contained detailed information. It also complimented the Director-General of the Department of Women Affairs in the Office of the President for her lucid and frank presentation.

Factors and difficulties affecting the implementation of the Convention

15. The Committee noted that women in Namibia continued to face persistent discrimination which arose out of some traditional and customary laws.

16. It also pointed to the fact that a large proportion of women were not empowered economically and their poverty made it difficult for them to fulfil their aspirations as guaranteed by the Convention.

17. The Committee also identified the general lack of knowledge relating to human and legal rights as an obstacle to the implementation of the Convention.

Positive aspects

18. The Committee commended the Government of Namibia for ratifying the Convention without reservations so soon after its successful and long struggle for independence.
19. The Committee was satisfied with the detailed analysis given in the report, which presented a clear picture of the situation of women in Namibia.
20. The Committee noted with satisfaction that non-governmental organizations had been involved in the preparation of the report.
21. The Committee commended the Government of Namibia for the peaceful transition to an independent State and for demonstrating general respect for the human rights of all people in Namibia.
22. The establishment of the Department of Women Affairs and the recent upgrading of the Department to cabinet level were also commended by the Committee. The Committee noted with satisfaction the achievements of the Department.
23. The Committee noted with appreciation the establishment of the Law Reform and Development Commission and the legal measures that had been put in place following the ratification of the Convention. It noted that they had contributed to the impressive progress towards gender equality.
24. The Committee welcomed the Married Persons Equality Act and looked forward to the enactment of the proposed Children's Act.
25. The Committee noted with satisfaction the positive developments in the area of women in decision-making and, in particular, the appointment in December 1996 of a woman as the first Ombudsman.
26. The Committee commended Namibia for the establishment of women and child abuse centres, although it noted that at present these centres were still operating on a small scale.
27. The Committee was grateful for the appointment of the first woman judge.
28. It commended the Government for focusing on affirmative action as a means of closing the gap in gender equality.
29. The Committee welcomed the establishment of nine gender-sectoral committees and commended the programme of sensitization of parliamentarians and public officers with respect to the Convention.

Principal subjects of concern

30. The Committee expressed its concern that the report did not address the Committee's general recommendations.

31. The Committee identified as areas of concern the lack of time-frame in the implementation of affirmative action programmes and also the lack of programmes to sustain the objectives and achievements of these programmes, particularly in respect of quotas.
32. The Committee was concerned with the lack of education and advocacy programmes to achieve de facto equality.
33. The Committee was greatly concerned with the prevalence of domestic violence and the persistence of stereotyped attitudes.
34. The Committee expressed concern that despite new laws, women, and in particular those in the rural areas, were unable to own land.
35. The Committee was concerned that the issue of maternity leave was dealt with under article 4 of the Convention as it was of the view that such a measure was not a measure of affirmative action.
36. The Committee was also concerned that although Namibia had ratified the Convention without reservations, the report outlined significant areas of persistent discrimination and de facto reservations to implementation of some areas of the Convention.
37. The Committee noted with concern that the Married Person's Equality Act did not sufficiently address discrimination in the family.
38. The Committee expressed concern that prostitutes had insufficient access to health care.
39. The Committee also expressed concern at the low level of participation of women in higher education and the high drop-out rate of girls from the formal education system.
40. The Committee expressed further concern with respect to the present inadequacy of the law on rape.
41. The Committee was concerned that pregnant teenage women were punished, while men responsible for the pregnancies were not.
42. The Committee noted with concern the incidence of discrimination against women in the labour market.
43. The Committee was concerned with the prevalence of polygamous marriages and that customary marriages were not registered.
44. The Committee was also concerned with the current law on abortion in Namibia and the high incidence of illegal abortions.
45. The Committee expressed dissatisfaction with the fact that although the Director-General of the Department of Women Affairs had been upgraded to cabinet level she did not have the right to vote in the Cabinet.

Suggestions and recommendations

46. The Committee requests the State party to ensure that the Committee's general recommendations are addressed in Namibia's next report to the Committee.
47. The Committee stresses that the implementation of affirmative action measures, including quotas, should have time-frames and should include educational and other programmes that will sustain the objectives and achievements of existing affirmative action programmes.
48. The Committee recommends that the Government intensify educational and advocacy programmes to achieve de facto equality and design and implement programmes that redefine the roles of women and men in the family.
49. The Committee recommends that the Government introduce, at all levels, more education on human and legal rights.
50. The Committee recommends that the Department of Women Affairs ensure that research is done to identify the customary laws that contravene the letter and spirit of the Convention and that attempts be made to replace those laws.
51. The Committee recommends that the Government ensure the effective monitoring of the implementation of all affirmative actions.
52. The Committee recommends that the Government take immediate action to combat domestic violence. This should include such legal measures as amending the law on rape as well as introducing awareness-raising programmes. The Committee stresses the importance of women's economic empowerment so as to avoid their total dependency on men and their increased vulnerability to domestic violence.
53. The Committee recommends that the Government introduce measures and programmes, including affirmative action, to increase women's participation at all levels of the judiciary.
54. The Committee urges the Government to target and give higher priority to some aspects of discrimination so as to focus broad attention on the issue.
55. The Committee suggests that the Government encourage non-governmental organizations to assist in bringing about legal change with regard to land ownership by women, especially in rural areas.
56. The Committee urges the Government to address the issue of polygamous marriages. Research on this issue should be conducted without delay and the Department of Women Affairs, in collaboration with non-governmental organizations and the churches, should introduce an intensive programme to discourage polygamy.
57. The Committee recommends that the Government ensure, as soon as feasible, the registration of all customary marriages.

58. While the Committee recognizes the need to sustain traditional courts, it urges the Government to ensure that these courts comply with the principles of the Convention in all respects.

59. The Committee urges the Government to amend the Married Person's Equality Act so as to eliminate discrimination in the family.

60. The Committee suggests that the State party respond in its next report to the questions raised on abortion and all other questions related thereto.

61. The Committee recommends that the Government continue its collaboration with non-governmental organizations.

62. The Committee strongly urges the State party to encourage political parties in Namibia to encourage the participation of women and to introduce affirmative action measures in that regard.

63. The Committee requests the Government to address in its next report the concerns included in the present comment and to provide information on the implementation of the Committee's general recommendations.

64. The Committee requests the wide dissemination of these concluding comments in Namibia to make Namibians aware of the steps that have been taken to ensure de facto equality for women and the further steps required in this regard.



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1. Initial reports of States parties

Luxembourg

1. The Committee considered the initial and second periodic reports of Luxembourg (CEDAW/C/LUX/1 and CEDAW/C/LUX/2) at its 338th, 339th and 344th meetings, on 9 and 11 July 1997.

2. The reports were introduced by the Director of the Ministry for the Advancement of Women, who thanked the Committee for considering the reports so soon after their submission. She informed the Committee that Luxembourg had recently assumed the Presidency of the Council of Ministers of the European Union and would put emphasis on the equality of women and men during its term, in particular in the context of the follow-up to the Fourth World Conference on Women and in the negotiations on the expansion of the European Union to include the countries of Central Europe as well as in a European Conference on organization of work.

3. In its "Action Plan 2000", the national action plan to implement the Beijing Platform for Action, the Government of Luxembourg had committed itself to the withdrawal of the two reservations to the Convention. The reservation to article 7, concerning the hereditary transmission of the crown of the Grand Duchy of Luxembourg to the oldest male descendant, might be removed in the near future, as the Sovereign had agreed, in principle, to a ministerial proposal to change article 3 of the National Constitution to that effect. Attempts to withdraw the reservation to Article 16 relating to choice of surname of children would meet with strong opposition, as the tradition whereby children took their father's surname was deeply rooted and long-standing.

4. The representative noted that difficulties had been encountered in attempts to enlist women under their own names on electoral lists and not, as has been the custom, under their husband's surname. The Act of 18 August 1995 had established full equality of women and men with regard to name on electoral lists.

5. The Committee was informed about the various steps being taken to establish a national machinery, as had been requested by the women's movement for over 30 years. Initially, a service within the Ministry of the Family and Solidarity had dealt with the advancement of women. In 1995, the creation of the Ministry for the Advancement of Women had given women and men the appropriate institutional mechanism, separate from family policy, to ensure equal rights and equal opportunities for both sexes.

6. The representative outlined the three priorities of action of the Ministry: mainstreaming of gender concerns; education, training and employment; and social policy. In the field of mainstreaming, the Action Plan 2000 described measures to be taken in the short, medium and long term. An effort had been made to mainstream gender concerns into education and training, sustainable development and development assistance to offer gender training to the civil service. The National Council of Luxembourg Women had initiated a major strategy on mainstreaming gender equality, notably by inviting local communities to designate focal points for the advancement of women and to set up commissions.

7. The representative pointed out that in the field of education, training and employment, the first step was to change mentalities among all members of society and that that should start at an early stage. Various partners at the community level were involved in combating sex-role stereotypes, including teachers' and parents' associations and non-governmental organizations. The second step was to promote gender equality in the workplace. Laws on sexual harassment and the designation of gender focal points in the private sector had been elaborated. The Government also intended to designate gender focal points in the civil service. Discrimination at the workplace persisted, however, with women earning only 70 per cent of the salary of their male counterparts.

8. Referring to social policy, the Director underlined that the major concern of her Ministry was guaranteed individual social insurance for all women. A successful campaign had been launched, targeting girls and young women aged from 12 to 21 years, to combat violence against women, offering information, shelter and counselling. She informed the Committee that Luxembourg would take the initiative, including at the European and international levels, to combat

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trafficking in and sexual exploitation of women. Specific measures with regard to housing, guidance and administration had been taken to integrate migrant women into the society.

9. The representative noted that equality between women and men was not yet a de facto reality in Luxembourg and that it was necessary to raise the awareness of men about their responsibilities. A change of mentality and behaviour was needed. That would be a long and complex process involving all actors in society.

Introduction

10. The Committee welcomed the first and second periodic reports of Luxembourg, which followed the Committee's guidelines and were comprehensive and very frank.

11. The Committee expressed its satisfaction for the excellent presentation of the representative by the Government of Luxembourg and noted that Luxembourg currently held the Presidency of the European Union. The Committee thanked the representative for her explanation of the historical and cultural context of the country and for the additional information provided in the replies to the questions of experts, in particular with regard to policy and the direction of the national action plan towards the implementation of the Convention.

Positive aspects

12. The Committee welcomed the separation of the Ministry for the Advancement of Women from the University of the Family and noted that the Ministry aimed to promote the mainstreaming of gender in all policies and programmes of the Government and local authorities and thereby recognizing gender as a fundamental dimension in all areas of private and public life.

13. The Committee noted with appreciation the preparation of the national action plan as a follow-up to the Fourth World Conference on Women at Beijing. It commended the action plan, which included, inter alia, the new governmental policy for cooperation with developing countries and the provision of funds for the advancement of women.

14. The Committee welcomed the programme of the Ministry for the Advancement of Women to disseminate the Convention widely and in particular noted its new publication for schools and training courses.

15. The Committee also welcomed the new measures to combat violence against women and the newly established facilities for young women victims of sexual violence.

16. The Committee further welcomed the permanent contact and consultations the Ministry for the Advancement of Women had established with non-governmental organizations, which had facilitated the elaboration of the Action Plan and equality policy in general.

Factors and difficulties impeding the implementation of the Convention

17. The Committee noted that the reservations made by the State party to articles 7 and 16 (g) impeded the full implementation of the provisions of the Convention. Although there had been attempts to remove the reservation to article 7, the Committee found it difficult to understand why greater efforts had not been made to address the reservation to article 16 (g).

18. The Committee expressed concern that a clear definition of the principle of equality between the sexes was not expressly enshrined in the Constitution. It noted that failure to include an express constitutional provision required legislative amendment on a case-by-case basis to ensure equality in each sector.

19. Insofar as implementation of article 11 of the Convention was concerned, the Committee noted with concern the persistence of discrimination, with the majority of women in part-time jobs and the evident disparities in treatment between the public and private sectors.

20. The Committee expressed concern at the lack of gender disaggregated statistical information in the fields of labour, health, prostitution and rural women. It noted that that impeded assessment of the progress in implementation of the Convention over time.

Principal areas of concern

21. The Committee expressed concern that although a constitutional review was currently under way, there was no information as to when the principle of equality would be discussed.

22. The Committee expressed its concern with the persistence of gender disparities, in particular in labour conditions, work evaluation and gender-based job insecurity and with regard to the evident discrimination women suffered in the private sector.

23. The Committee was concerned that the State party had not yet made use of article 4 of the Convention to ensure equitable participation of women in the conduct of public affairs and, generally, in the economic, social and cultural life of the country. Additionally, the Committee regretted that effective measures to overcome attitudes based on traditional roles, which hindered equality between men and women, had not yet been adopted.

24. The Committee noted with concern the high level of violence against women, in particular domestic violence, and regretted the delay of adoption of a law on sexual harassment.

25. The Committee was concerned at the existing national provisions concerning implementation of article 6 of the Convention and in particular, the lack of effective measures for the protection and rehabilitation of women prostitutes.

26. The Committee was also concerned by the lack of gender analysis of women's health needs, in particular in relation to their reproductive rights.

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27. The Committee was deeply concerned at the existing legislation on abortion, which penalized women. It noted that, at the same time, sufficient mechanisms to prevent abortion, including free distribution of contraceptives, were not in place.

28. The Committee was concerned at the relatively high number of women foreigners in Luxembourg and that inadequate steps had been taken to ensure that they were able to take advantage of the guarantees in the Convention.

29. The Committee expressed its concern in respect of restrictions on women in relation to remarriage after divorce.

Recommendations and suggestions

30. The Committee strongly suggests the introduction of steps towards the removal of the reservations to articles 7 and 16 (g) as promised in the oral presentation of the representative of the Government. The Committee encourages the Ministry for the Advancement of Women in efforts in this respect and requests the Government to keep it informed of developments on this matter.

31. The Committee urges that constitutional reforms include the incorporation of the principle of equality in the text of the Constitution.

32. The Committee suggests the introduction of temporary special measures to strengthen the participation of women in the political, economic and social life of the country.

33. In the light of recent achievements in some other countries of the European Union in the implementation of article 7 of the Convention, the Committee further recommends that the Government examine strategies to ensure the better representation of women in decision-making posts in all fields.

34. The Committee recommends that the Ministry for the Advancement of Women take the appropriate initiative for the adoption of measures aimed at eliminating the gap between the treatment of women and men in the public and private sectors. The Committee further recommends that the Government examine the gap between the female and male working forces, particularly in the context of part-time work.

35. The Committee recommends that concrete measures be taken to implement fully the conclusions of The Hague Declaration, which are in the spirit of article 6 of the Convention.

36. In relation to the removal of the stereotyped attitudes and perceptions of the role of women in society and to raise the awareness of men of their family responsibilities, the Committee suggests that educational programmes in schools be reoriented in accordance with article 5 of the Convention.

37. In the field of violence against women, the Committee recalls its general recommendation No. 19, on violence, and suggests that the Ministry take all appropriate measures, including the legislation, to combat the sexual abuse of

women, in particular within the family, so as to ensure effective protection of women against domestic and other forms of violence.

38. The Committee emphasizes the need for the adoption of effective measures to prevent abortion and for a review of the social insurance benefits system so as to allow women to have access to free contraceptive methods.

39. The Committee also recommends that an analysis of women's health needs be undertaken and that awareness-raising campaigns on mammography continue in order to ensure that more women make use of this service.

40. The Committee recommends that legislative steps be taken to remove outdated laws that restrict women's right to remarry after divorce, as well as those that classify children as "legitimate/natural" or "illegitimate", a distinction that is neither in the spirit of the present Convention nor of the Convention on the Rights of the Child to which Luxembourg is also a State party.

41. The Committee also recommends that the action plan include provisions for the better integration of refugee and migrant women into the social and economic life of Luxembourg.

42. The Committee encourages the State party to pursue and develop further its policy of disseminating information and increasing awareness of the Convention. It also recommends the integration of the provisions of the Convention and women's rights into the training curricula of professional groups, such as teachers, law enforcement and correctional officers, judges, social workers and health personnel, who deal with women.

43. The Committee requests the Government, when preparing its third report, to take into account the Committee's general recommendations, the present concluding comments and the issues addressed during the constructive dialogue with the Committee at its seventeenth session. The report should, in particular, include detailed information on the extent to which each right protected under the Convention is enjoyed in practice and should refer to specific factors and difficulties that might impede the application of the Convention. The Committee also requested the Government to include in its next report statistical data disaggregated by sex.

44. The Committee also requests the wide dissemination in Luxembourg of the present concluding comments so as to make individuals aware of the steps that had been taken to ensure de facto equality for women and the further steps that are required in this regard.



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ADOPTION OF THE REPORT OF THE COMMITTEE ON THE ELIMINATION
OF DISCRIMINATION AGAINST WOMEN ON ITS SEVENTEENTH SESSION

Draft report

Rapporteur: Ms. Aurora JAVATE DE DIOS

Addendum

IV. CONSIDERATION OF REPORT SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

3. Initial, second and third periodic reports

Antigua and Barbuda

1. The Committee considered the initial, second and third periodic reports of Antigua and Barbuda (CEDAW/C/ANT/1-3) at its 340th, 341st and 348th meetings, on 10 and 16 July 1997.

2. In her introductory statement, the representative of Antigua and Barbuda indicated that Antigua and Barbuda had become party to the Convention on 31 August 1989, at which time the Convention had become fully incorporated in domestic law. She noted that the report before the Committee had been submitted in 1994 and significant developments in implementation had occurred since then. Accordingly, an addendum had been submitted to the Committee to update the report.

3. The representative indicated that the Women's Desk had been upgraded in 1985 to a Directorate of Women's Affairs, which had responsibility for promoting

the social, political and economic interests of women and their development. Pursuant to the Beijing Platform for Action, the Directorate had identified as priority areas of concern the elimination of violence against women, education and training, the eradication of poverty, the encouragement of more women becoming involved in the decision-making process and the expansion of general health and reproductive health programmes mainly targeted at young women. To fulfil international and regional commitments, the Directorate's plans to mainstream gender in all government departments/divisions included a training workshop involving heads of ministries, local government officers, non-governmental organizations and heads of department. It had also revised its national Plan of Action for Gender Affairs. The Directorate had recently organized a forum to publicize the Convention and was planning to introduce courses to encourage women to enter politics and decision-making.

4. The representative noted that several major legal reforms had been introduced or were currently pending or planned. The Sexual Offences Act 1995 and the Maintenance Act were now in force. The family (protection against domestic violence) bill, which would provide for protection orders and orders with regard to the occupation of the matrimonial home, would be debated during 1997 and an equal opportunity act would be introduced in the near future.

5. The representative informed the Committee that sex-role stereotyping remained a problem in Antigua and Barbuda. Within the education system, the need to reduce the stereotyping of roles was accepted. For that reason, both sexes were exposed to similar disciplines and training within the system. However, there was a realization that socialization within the home and wider society also influenced boys and girls to choose traditional skills even when offered a wider range of options. Within the school system, boys were more exposed to technical skills and girls to domestic skills. The Ministries of Education, Health and Labour offered family life education programmes to promote attitudes of equal responsibility of women and men in the care and socialization of children. Domestic violence, sexual harassment, sexual abuse, battery and rape were prevalent and rarely reported as many men considered such conduct acceptable. The representative noted that a 24-hour domestic violence hotline was scheduled to be introduced in August 1997 by the Directorate, in collaboration with a number of non-governmental organizations and the private sector.

6. The representative informed the Committee that plans now in place to allow pregnant teenagers to continue their education included working with fathers as appropriate and the provision of functional literacy skills programmes, skills training, parenting classes and family life education, which involved family planning and human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) education.

7. The representative indicated that although women constituted the majority of voters in Antigua and Barbuda, the political participation of women remained low and strategies and plans of action would be introduced to reverse that.

8. The representative informed the Committee that there was a high rate of perinatal mortality among women in Antigua and Barbuda. She noted that abortion

was illegal in the country, although termination of pregnancy on medical grounds was permitted.

9. The Committee was told that women comprised a significant part of the agricultural population in Antigua and Barbuda. Although they were not subject to direct discrimination, farms operated by women farmers were usually less than half the size of their male counterparts and women farmers very often had multiple responsibilities. The Directorate of Women's Affairs provided training and support to women farmers.

10. The representative indicated that the Divorce Act 1997 now provided irretrievable breakdown as the sole ground for divorce and allowed for divorce to be sought after one year of marriage. In certain circumstances, men could now be convicted of sexual assault against their wives. The representative noted, however, that women in de facto relationships suffered legal disadvantages.

11. The representative reiterated the strong commitment of Antigua and Barbuda to the elimination of discrimination against women, the implementation of the Convention and the Beijing Platform for Action. She stated that that commitment had been manifested in the preparations for and participation in the Fourth World Conference on Women, as well as in the preparations for the presentation of Antigua and Barbuda's report before the Committee.

Concluding comments of the Committee

Introduction

12. The Committee welcomed the fact that Antigua and Barbuda had ratified the Convention without reservations. The Committee commended the State party for its report, given that it was a small island State with limited resources. It noted that such States had particular difficulties in the compilation of data and in acquiring personnel with the capacity to work in that area.

13. The Committee also commended the State party on its frank and full presentation and the submission of its addendum, which although presented late in the day, together with the representative's speech, provided a complete picture of the implementation of the Convention in Antigua and Barbuda. The Committee was gratified with the obvious political will in the country with regard to the advancement of women.

14. However, the Committee was disappointed that the report provided no information with regard to the implementation of the Platform for Action and the measures that had been taken by the State party to address the general recommendations of the Committee.

Factors and difficulties affecting the implementation of the Convention

15. The Committee noted that Antigua and Barbuda, being a small island State, seemed to be handicapped by a lack of financial and human resources in the compilation of statistical data and that might be an obstacle in fully implementing the Convention.

Positive aspects

16. The Committee commended Antigua and Barbuda on the early establishment of the Women's Desk soon after attaining independence, and later its upgrading and expansion to the Directorate of Women's Affairs. The Committee also commended the Government on its intention to upgrade that office further to that of a ministry, when a woman was appointed to elected office.

17. The Committee welcomed the introduction of important legislation, including the Equal Opportunity Act, the Divorce Act and the Sexual Offences Act. It looked forward to the results of the introduction of the equal pay and domestic violence bills and noted with appreciation the use by Antigua and Barbuda of model legislation developed by the Caribbean Community (CARICOM).

18. The Committee complimented the State party on the successful measures it had taken to reduce the birth rate.

19. The Committee noted with satisfaction the introduction of gender management systems.

20. The Committee applauded the statement by the President with regard to women and decision-making.

21. The Committee commended the introduction of the domestic violence hotline and related support services.

22. The Committee welcomed the introduction of measures to address teenage pregnancies and its focus on the situation of the girl child.

Principal subjects of concern

23. The Committee was concerned that there were few measures to increase the political participation of women. It noted the absence of women in Parliament and the lack of measures to increase women's participation in public life generally.

24. The Committee was concerned about the lack of integrated measures to address violence against women.

25. The Committee noted the lack of decision making power of the Directorate for Women's Affairs, which had not yet been elevated to the level of a ministry.

26. The Committee was concerned about the lack of information in the report on prostitution and trafficking in women.

27. The Committee was also concerned about the continued selection by female students of stereotypical subjects. It was also concerned about the greater exposure of girls within the school system to domestic skills and boys to technical skills.

28. The Committee was concerned about the low level of occupational achievement by educated women and male dominance in technical and professional fields, on

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the one hand, and the concentration of women in the lower-paid service sector, in particular the tourist industry, on the other.

29. The Committee noted that women's concerns had not yet been integrated into the national five-year plan.

30. The Committee was concerned about the situation of rural women and their access to credit.

31. The Committee was also concerned about the continued illegality of abortion, as well as the lack of family planning education programmes. It expressed concern that contraceptives were not covered by medical benefits schemes.

32. The Committee was deeply concerned about the high level of teenage pregnancy.

33. The Committee expressed concern about the high rate of perinatal mortality.

34. The Committee noted the lack of special measures for women with HIV/AIDs, as well as the absence of measures to address drug addiction among women. The Committee expressed the hope that more information would be given about the problem in the next report.

35. The Committee expressed concern about the position of women in common law relationships.

Recommendations and suggestions

36. The Committee recommends that the Directorate of Women's Affairs be upgraded to a ministry.

37. The Committee suggests that gender issues be integrated into the five-year plan.

38. The Committee suggests that the State party consider the use of article 4, and commends the State party on its decision to adopt the recommendation of the Meeting of the Commonwealth Ministers for Women's Affairs.

39. The Committee recommends that the State party encourage the participation of women in politics.

40. The Committee suggests that Antigua and Barbuda introduce appropriate sex education and family planning education policies and programmes.

41. The Committee recommends that Antigua and Barbuda ratify International Labour Organization (ILO) Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value.

42. The Committee recommends the introduction of programmes to encourage men to take account of their family responsibilities.

43. The Committee notes that culture is a positive vehicle to influence the advancement of women. In that regard it suggests that Calypso be used as a vehicle to promote respect for women. The Committee also suggests that the media be used to promote positive attitudes towards women.

44. The Committee requests that wide dissemination be given to the present concluding comments in Antigua and Barbuda so as to make individuals aware of the steps that have been taken to ensure de facto equality for women and the further steps that are required in this regard.



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Rapporteur: Ms. Aurora JAVATE DE DIOS

Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES
PARTIES UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

1. Initial reports of States parties

Armenia

1. The Committee considered the initial report of Armenia (CEDAW/C/ARM/1 and Corr.1) at its 344th, 345th and 349th meetings, on 14 and 16 July 1997.

2. The representative of Armenia emphasized that after the declaration of independence in 1991, Armenia had begun the implementation of economic and political reforms. The process of transition to market economy had been affected by the blockade of the main transportation routes, a severe energy crisis and the damage inflicted by the devastating earthquake of 1988. Despite social and economic difficulties, the Government of Armenia attached great importance to the international human rights treaties, including the Convention on the Elimination of all Forms of Discrimination against Women, to which it had acceded in 1993 without reservations. In order to secure the sufficient implementation of the Convention, the Government had started to carry out legal reforms aimed at adjusting existing legislation to international norms and standards specified in that instrument. The Committee was informed that the

Fourth World Conference on Women had marked a turning point for women's rights in Armenia.

3. The representative noted that the initial report had been submitted to the Secretariat in 1995. He noted that the report had been prepared during the period of economic and political restructuring and the blockade on goods, services and energy imposed by Azerbaijan and Turkey and in a situation of continuing conflict between Nagorny Karabakh and Azerbaijan.

4. The report had been prepared in cooperation with the Ministry of Justice, the Ministry of Social Affairs, the Ministry of Health and appropriate commissions of the National Assembly. The corrigendum, dated 11 February 1997, replaced part of the original report and reflected changes resulting from the adoption of the Constitution in 1995, developments in the legal framework and actual conditions for Armenian women.

5. The representative informed the Committee that there was no special institution responsible for the protection of women's rights. The Ministry for Social Security and the Centre for Democracy and Human Rights were the main institutions that were currently responsible for women's issues in the country.

6. The representative of Armenia outlined the political, economic and legal situation in Armenia and their impact on the status of women. The Committee was informed that the new Constitution underscored the principle of equality of human rights of women and men. Legally, women enjoyed full guarantees against discrimination but the difficult social-economic situation in the country had not always allowed their full implementation. The difficult social-economic situation, which had resulted in a drastic decline in the standard of living, an increase in the unemployment rate and impoverishment, had affected women more than men. Hence, the Parliament had adopted in 1991 a resolution on urgent measures for the protection of women, maternity and childhood and the strengthening of the family, which granted supplementary rights to women and mothers, especially single mothers, in the areas of work and social security. A national programme of action had been launched, *inter alia*, to disseminate laws on protection of women's rights and to establish information and legal counselling services.

7. In Armenia, a majority of women had achieved a high level of education and often outnumbered men in the area of higher education. However, women accounted for a higher level of unemployment than men and occupied few positions at all levels of decision-making. Women in the labour market were usually concentrated in traditional female occupations. In spite of low representation of women in governmental positions, they were active in social and economic life. During recent years, more than 30 women's organizations had emerged in the country and covered a wide spectrum of issues, including the preparation of women for leadership roles in society and the protection of their rights.

8. With regard to women's reproductive health, the representative noted that women had the right to abortion until the fourteenth week of pregnancy. However, the representative informed the Committee that in reality abortion was the primary method of birth control in Armenia and there was a lack of family

planning services. The Government was taking measures to disseminate information about contraceptives and to improve their availability.

9. The representative indicated that the Government of Armenia was particularly concerned about the large number of refugees in the country, with women constituting the majority. He informed the Committee that the Government was implementing a wide set of measures aimed at their integration in social and economic life.

10. The representative concluded that the Government of Armenia recognized that much remained to be done in order to achieve full equality between women and men. He assured the Committee of the willingness of the Government to continue to undertake all the necessary measures to implement the principles of the Convention.

General observations

Introduction

11. The Committee welcomed the presentation by the Government of Armenia and commended it on its ratification of the Convention without reservations so soon after independence in 1991 and on the timely submission of the initial report, which contained detailed information on the implementation of the Convention in accordance with the Committee's guidelines. It expressed its appreciation of the willingness of the representatives of Armenia to engage in an open, candid constructive dialogue with the Committee.

Positive aspects

12. The Committee commended the Government on its effort to carry out reform of its laws so as to align them with the standards of international human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women.

13. It noted with satisfaction the incorporation of the Convention in domestic law, and its precedence over conflicting national legislation, and expressed its appreciation of the fact that the Government had translated the Convention into Armenian and disseminated it widely.

14. The Committee acknowledged favourably the statement made by the representative of Armenia as to the intention to introduce a fundamental legal reform within the ongoing revision of the criminal code, in respect of violence against women and their sexual exploitation through prostitution and trafficking.

15. The Committee applauded the exceptionally high level of literacy and education in Armenia, in particular among women.

16. The Committee commended the Government on its identification of four priority areas of concern in relation to women's health, and on its programme to establish a system of family planning services and to provide contraceptives to women free of charge.

Factors and difficulties impeding implementation of the Convention

17. The Committee noted the adverse effect of the process of democratization on the position of women in Armenia, in terms of their dramatic loss of representation at all levels of decision-making.

18. The Committee also noted that the process of transition to a market economy appeared to have resulted in the economic marginalization of women, and that that had been exacerbated by the economic toll of the 1988 earthquake, and the armed conflict around Nagorny Karabakh.

19. Deep concern was expressed about cultural stereotypes which overemphasized the traditional role of women as mothers in a protective and restrictive way.

Principal areas of concern

20. The Committee expressed and reiterated its gravest concern about the absence of a specific national machinery for the advancement of women and the elimination of discrimination against women.

21. The Committee was extremely concerned that the Government of Armenia had failed to acknowledge and address the matter of violence against women, which appeared to be a subject of taboo in Armenian society, although there were many indicators of it being as serious a problem as in other societies.

22. The Committee was also extremely concerned about the high rate of unemployment (over 60 per cent according to the report), the occupational segregation of women in low-paying sectors and the small number of women in positions at the senior management level.

23. In connection with the economic marginalization of women and their position in the labour market, the Committee expressed its concern about indications of the increasing economic activities of women in the informal sector (sometimes referred to as suitcase trading), without appropriate measures of legal security, including work benefits.

24. The Committee also noted with concern the paternalistic restrictions imposed by the labour laws, which were aimed at protecting maternity and resulted in the legal limitation of women's employment opportunities and choices.

25. Similarly, the Committee was concerned with the Government's report of increasing prostitution, especially in relation to the limited economic options for women in Armenia, as well as in respect of the access of women engaging in prostitution to appropriate health services, including for the prevention and care of HIV/AIDS.

26. In respect to the subject of women's health, the Committee expressed its deep concern regarding statements made by the representative of Armenia to the effect that the Government was considering proposals for privatization as part of a reform of the health system. The Committee emphasized the harmful effects

on vulnerable groups of privatization in the health area, even in highly developed countries.

Recommendations and suggestions

27. The Committee strongly urges the Government of Armenia to establish a national machinery for the advancement of women, with fully adequate staff and resources, so as to integrate the perspective of women's human rights and gender analysis into all ongoing policy making and strategic development planning activities.

28. The Committee recommends that the Government take temporary special measures of affirmative action to create employment opportunities for women, including special credit and loan programmes for women entrepreneurs.

29. The Committee also recommends that temporary special measures be adopted to remedy the severe decrease in the political representation of women since independence, and to increase their participation in all areas of public life.

30. The Committee further recommends that the Government give due attention to the subject of violence against women, by encouraging a public discussion of its various forms, initiating appropriate legislation, training law enforcement officers, judges and health professionals (including adequate numbers of female personnel) to identify and manage the manifestations of violence against women, and by guaranteeing that the necessary psycho-social and health services are available to victims of violence, with particular attention to internally displaced and refugee women.

31. The Committee strongly urges the Government to use the education system and the electronic media to combat the traditional stereotype of women "in the noble role of mother" and to raise awareness of the role of men in caring and their responsibility for parenting.

32. The Committee suggests that there is a strong need to collect information and gender disaggregated data in all areas, and in particular as regards violence against women, prostitution and health.

33. The Committee requests the Government to address the concerns included in the present comments in its next report, and to include information on the implementation of the Committee's general recommendations, particularly general recommendation 19 on violence against women. It also requests the wide dissemination of these comments throughout Armenia.



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Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES
PARTIES UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

5. Second and third reports of States parties

Italy

1. The Committee considered the second and third periodic reports of Italy (see CEDAW/C/ITA/2) at its 346th and 347th meetings, on 15 July 1997.
2. In introducing the reports, the representative of Italy informed the Committee that Italy's basic strategies with respect to the advancement of women were mainstreaming and empowerment, with gender difference being perceived as a resource rather than a disadvantage. She noted that women in Italy were now seeking freedom, independence and personal development and were no longer willing to be constrained in stereotypical social and family roles.
3. The representative noted that Italian women had reached high levels in education and were increasingly part of the workforce. She indicated that, paradoxically, women's increased employment was manifested in the high unemployment rate among women, with women no longer content to revert to their traditional role as housewife.

4. The representative informed the Committee that regrettably men's culture and the basic structures of society had not changed at the same pace as women's and that men had sometimes actively opposed women's empowerment.

5. The representative pointed out that basic guidelines for government action for the advancement of women were outlined in the Prime Minister's Directive adopted on 7 March 1997. The Directive, which was aimed at all levels of public administration, both national and local, had been formulated after extensive consultation and parliamentary debate and mandates all cabinet members to implement the Beijing Platform for Action.

6. The representative informed the Committee that Italy was now going through a period of welfare reform, as well as convergence measures to join the European Monetary Union. She noted that those reforms had the capacity to affect women negatively and for that reason measures to mainstream a gender perspective into welfare reform were essential and were being undertaken in Italy.

7. The representative drew attention to the measures that had been introduced in Italy to reduce working hours and to create employment, including community-based strategies and the encouragement of entrepreneurship amongst women, such as the facilitation of soft loans.

8. The representative indicated that the burden of caring responsibilities in Italian society still fell mainly on women, although there was evidence that men were now taking on their responsibilities in that regard. She made clear that government policies and measures were being introduced to reinforce that change in perspective, including the creation of opportunities for childcare, facilitated by tax credits and incentives for non-profit organizations. In addition, draft legislation on parental leave, as well as measures to provide for flexible work patterns, were being introduced. The representative also noted the innovation of time banks, mostly managed by women, which allowed for the exchange of skills and services in communities.

9. The representative informed the Committee that draft legislation to address violence against women in the home had now been prepared and that a Commission had been established to investigate allegations of torture, including rape, perpetrated by Italian soldiers during the 1993 peace mission to Somalia. She noted that Italian women had actively participated in peace missions in the Middle East, the former Yugoslavia and Albania and the entry of women into the Italian armed forces had been an opportunity to redefine the role of the armed forces in the country.

10. The representative indicated that women remained underrepresented in decision-making positions and that steps were being introduced to address that issue via approaches aimed at empowering women generally. She noted that women were now well represented in decision-making at the local and municipal levels. In particular, she informed the Committee that women were particularly well represented in municipalities in the south, including Sicily.

11. The representative informed the Committee that educational campaigns to address racism and xenophobia had been introduced in Italy and were based on the model of a multicultural society. She noted that it was not enough to educate

the next generation, but that efforts must be made to enable people to learn from each other.

12. The representative concluded that although much remained to be done to implement the Convention in Italy, formal equality had been achieved. Efforts were still required to achieve substantive equality, but she was confident that the combination of the mainstreaming and empowerment strategies would reach that goal. In that regard she stressed that feminism and the women's movement had already transformed Italian society and women's empowerment would lead to further positive change.

Concluding comments of the Committee

13. The Committee noted with satisfaction the second and third reports of Italy, which were frank, extensive and detailed. Both reports, and particularly the third, exhibited an imaginative and forward-looking policy approach, and together with the oral presentation, explained the logic behind government policies and priorities. Nonetheless, the Committee expressed disappointment that the third report had not been submitted until a late stage thereby precluding its close examination by all members in advance.

14. The Committee expressed its appreciation to the Government of Italy for its high-level delegation headed by the Minister of Equal Opportunities, which it considered an indication of the State party's commitment to the Convention and its appreciation of the work of the Committee.

15. The Committee was gratified by the excellent oral presentation and the answers to its questions, which were thought-provoking and responded very sensitively to the details and nuances of those questions. The oral presentation, also, allowed for reflection on the notion of gender equality as well as presenting the full statistical picture regarding women's position in Italian society.

Positive aspects

16. The Committee welcomed the establishment by the present Government of the Ministry of Equal Opportunities as a coordinating ministry and appreciated the escalated efforts of that office for gender mainstreaming in the legal, institutional and social aspects of life in Italy. In that respect it especially commended the 7 March Directive of the Prime Minister to focus on gender issues across a wide spectrum of activities.

17. The Committee noted with appreciation the consistent efforts of the Government of Italy to enact legislation against discrimination. It welcomed in particular the passage of the Violence Act of 1996 and the recent presentation of the Domestic Violence Act to the Parliament as a draft law. It welcomed those initiatives as demonstrations of the Government's will to ensure the protection of the human rights of women and combat all kinds of violence directed against them.

18. The Committee welcomed the attitude sensitization and awareness-raising efforts of the Government, aimed at the elimination of xenophobia and racism in

Italian society and the promotion of the role of women as peacekeepers in different parts of the world. In that regard the Committee noted with satisfaction the commitment made, and the steps taken, to confront acts of violence against women allegedly perpetrated by Italian soldiers during peacekeeping missions.

19. The Committee noted with satisfaction the intentions and efforts of the Ministry of Equal Opportunities to ensure gender mainstreaming in the upcoming welfare reform by moving the focus from the "male breadwinner regime" to overcome the injustice faced by women and to respond better to the needs of the elderly, particularly women.

20. The Committee welcomed the remarkable gains made by Italian women in education and occupational fields, which had significantly enhanced women's economic independence and de facto equality in the society.

21. The Committee welcomed the Government's efforts to promote entrepreneurship among women through provision of credit and via monitoring and coordination of the activities of different public and private agencies in that field.

22. The Committee acknowledged the progressive and humane provisions of Italy's immigration law, and particularly appreciated those provisions of immigration legislation that were protective of the human rights of immigrant women.

Factors and difficulties affecting the implementation of the Convention

23. The Committee noted the persistence of significant cultural, social and economic differences and inequalities that existed between the north and south as major impediments to the full implementation of the Convention to achieve de facto equality in Italian society.

24. The Committee considered evidence of feminization of poverty exhibited by the fact that over 60 per cent of families headed by women were under the poverty line constituted a serious obstacle to the full implementation of the Convention in Italy.

Principal subjects of concern

25. The Committee expressed concern with regard to the inadequacy of efforts to combat stereotypes through education and other public means. In that regard it was deeply concerned that no substantial initiative had been taken in Italy to rid textbooks and teaching materials of stereotypes and/or towards making women and their contributions to history and society more visible and apparent.

26. The Committee expressed its concern with respect to the persistence of patriarchal norms and stereotypes in Italian society and noted with particular concern the relative lack of attention to that matter in governmental policies and by governmental actors. In that context, the State party's attitudes and actions aimed at "utilizing women's own resources" were viewed by the Committee as potentially reinforcing and glorifying stereotypical roles of women, and thereby impeding the realization of de facto equality.

27. The Committee noted with deep concern that the presence of women in politics and decision-making positions remained very limited and that political participation had fallen in recent years. Emphasizing the importance of the presence of women in such positions, the Committee was concerned that the Government's failure to adopt numerical goals and quotas, alongside other mainstreaming and empowerment policies, had contributed to that situation.

28. The Committee was also concerned with the lack of programme to sensitize the public and particularly the police, the judiciary and the health professionals, to the conditions and needs of victims of domestic violence. The Committee had expressed serious concern that in the absence of such measures the anti-discrimination laws, as well as laws on violence against women, would not be able to combat effectively indirect discrimination or ensure accurate reporting and rigorous prosecution of all forms of violence against women.

29. The Committee was concerned about the lack of sex-disaggregated data relating to part-time work. The Committee underlined the importance of close monitoring of that subject by, *inter alia*, keeping up to date sex-disaggregated statistics so as to determine the number of women occupied in part-time employment, which, when their number was disproportionate, was a factor that contributed to indirect discrimination.

30. The Committee was concerned about the inequality in the sharing of "caring responsibilities" and that such responsibilities fell predominantly upon women in Italy, a factor that was particularly acute in southern Italy. It noted with concern the absence of efforts or programmes to encourage Italian men to undertake their fair share of domestic responsibilities, and to care for the children and the elderly.

31. The Committee expressed concern with respect to the lack of statistics and/or studies into the causes of a number of health related issues concerning women. It noted with serious concern that studies suggested an increase in incidence of lung cancer among women. It also noted the very high incidence of caesarian section deliveries and the failure of women to take advantage of early detection technologies, including mammography and pap smears, and the failure to explain that phenomenon. In addition, the Committee was concerned with the lack of data on occupational health and disease.

32. The Committee expressed particular concern with regard to the limited availability of abortion services for women in southern Italy, as a result of the high incidence of conscientious objection among doctors and hospital personnel.

33. The Committee noted that while the shift in emphasis from the concept man as breadwinner that underpinned current welfare reforms was intended to give women autonomy and reduce humiliating financial dependence, it was concerned that those reforms posed real risks for women who had been homemakers, and not part of the paid workforce, or whose careers had been interrupted by childcare and other responsibilities and for older women who had little earning capacity.

Suggestions and recommendations

34. The Committee recommends that the Government of Italy continue to implement and strengthen the current measures it is taking to empower women and mainstream gender issues. It encourages specific affirmative actions targeted to numerical goals and quotas, in particular in those areas such as political and decision-making positions of public life, where women's de facto equality has not been improving at the desired pace.

35. The Committee urges the Government of Italy to take large-scale measures to combat the widespread acceptance of stereotypical roles of women and men, particularly in the south, by alerting the public to the importance of an equitable distribution between women and men of family roles and "caring responsibilities". In this respect the Committee deems it essential that text books and teaching material be reviewed and revised to reflect the non-stereotypical roles of men and women.

36. The Committee recommends that Italy expand its existing legislation and/or enact new legislation, where needed, in order to effectively deal with the phenomenon of indirect discrimination. To this end it emphasizes the importance of measures to sensitize judges, lawyers and other members of the law profession to indirect discrimination and to Italy's international obligations, and in particular those outlined in the Convention.

37. The Committee requests the Government to produce progress reports and/or balance sheets to detail the applications and results of legislation concerning equality for women and discrimination for Italy's next report to the Committee.

38. The Committee urges the Government of Italy to embark on public sensitization campaigns in relation to domestic violence in its various manifestations (sexual, physical, etc.) to ensure the protection of human rights of women and the girl child in the family. In particular, the Committee recommends that measures be introduced to encourage complaints and provide mechanisms for effective and timely response to such claims. In that regard it recommends that health professionals be trained in the care and management of domestic violence cases.

39. The Committee recommends that specific efforts be made to revise the implementation of the immigration laws so as to protect migrant women from trafficking.

40. The Committee strongly recommends that the Government take steps to secure the enjoyment of women, and in particular, southern Italian, of their reproductive rights by, inter alia, guaranteeing them access to abortion services in public hospitals.

41. The Committee recommends that the prerequisite of marriage for access to artificial reproductive technology in public hospitals be revised. It recommends that public debate on the issues raised by this technology be initiated.

42. The Committee urges the Government of Italy to take the necessary steps to incorporate participation of non-governmental organizations in the preparation of the country's next report to the Committee.

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43. The Committee recommends that the Government of Italy, as a State member of the European Union, take concrete initiatives to encourage the acceptance by the European Union of the Convention as a fundamental bill of rights for women.

44. The Committee recommends that the State party should ensure that all women have an adequate income and that husbands and fathers are obliged to provide financial support. It recommended that the Government enforce the payment of alimony and financial support by deducting such payments from men's incomes, authorizing the sale of assets to ensure payment and setting aside trusts and other devices aimed at hiding assets and income, irrespective of whether these have been introduced to avoid such payments.

45. The Committee requests the Government of Italy to disseminate widely, throughout Italy, the present comments so that individuals are aware of the measures that have been taken to implement the Convention and the remaining steps that are required to achieve de facto equality for women.



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ADOPTION OF THE REPORT OF THE COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN ON ITS SEVENTEENTH SESSION

Draft report

Rapporteur: Ms. Aurora JAVATE DE DIOS

Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

2. Initial and second periodic reports

Israel

1. The Committee considered the initial and second report of Israel (CEDAW/C/ISR/1-2) at its 350th, 351st and 353rd meetings, on 17 and 21 July 1997.

2. The representative of Israel indicated that her country saw the signing and ratification of the Convention as natural and important steps in the general process of ensuring the achievement of equality between women and men. She noted that Israel attached great importance to the process of reporting to the Committee and considered the latter to be a vehicle to achieve the advancement of women.

3. The representative observed that the compilation of the report had afforded an opportunity to take a comprehensive view of the achievements in and the obstacles to the advancement of women in Israel. It had created an institutional awareness of women's social concerns and needs. Non-governmental

organizations (NGOs) had had the opportunity to offer feedback on the report and this had led to a new forum of ongoing dialogue between government and civil society.

4. She stated that Israel placed great importance on the situation and status of women in society, and noted that the issue of women's status in society has constantly been on the national agenda. A constitutional and normative infrastructure had been established and a continuous process of review and passage of legislation was taking place with regard to the status of women. Implementation mechanisms had been established and developed according to need. She noted that this process applied equally to all women in Israel - Jewish and Arab alike.

5. The representative elaborated the two parameters informing women's status. The first reflected the basic quality of women's lives, and the second involved the evaluation of participation of women in public life, the workplace, wage equity and educational opportunities.

6. She noted that discrimination against women was defined by Israel's legal system in conformity with the definition contained in article 1 of the Convention. The principle of equality was understood as being substantive and not merely formal and took into account de facto discrimination and the importance of affirmative action.

7. Legislative developments had done much to advance the status of all women in Israel and played an important role in educating the younger generation and the public in general concerning the special norms adopted for the advancement of women. The process of instilling norms and values of gender equality was an ongoing one, and several important bills in this area were at different stages of the legislative process.

8. The representative described various governmental initiatives to promote the advancement of women. Among them were the appointment of the Prime Minister's Adviser on the Status of Women, and the Knesset Committee for the Advancement of the Status of Women.

9. She indicated that education was a key factor in any real and stable change of perceptions and of gender roles. The reduction of illiteracy among women was encouraging and women's enrolment in universities was greater than that of men. Women's health was steadily improving among all population groups. Women's participation in the workforce was related to educational level and family situation but women had a greater tendency to work part time.

10. She explained that the scope of social and work-related benefits was one of the most influential factors affecting women's economic status in Israel. Maternity insurance and the system of alimony payments benefited women positively. Despite the lack of sufficient data on the economic situation of single-parent families headed by women, serious support to ensure legislation had been enacted.

11. The representative described the situation in Israel with regard to marriage, age of marriage, cohabitation, child custody, property distribution,

selection of family names and new reproductive technologies. She informed the Committee that much progress had been made with regard to gender-based violence in Israel. There had been legislative developments and the work of several investigative and reform committees had contributed extensively to these legislative as well as practical developments.

12. There was a lack of concrete data and information on the issues of prostitution and exploitation of women and the Israeli legal framework took an abolitionist approach to prostitution. The representative drew the Committee's attention to the position of certain groups of women in Israeli society, including Bedouin women, women immigrants from the former Soviet Union and from Ethiopia.

13. She stated that social patterns, gender roles and stereotyping affected the advancement of women in any society. Women's involvement in the media was an example of this; the position of women vis-à-vis the Israeli media was inconsistent. Although employment of women in the media and coverage of certain women's issues were increasing, stereotyping of women as sex objects and victims continued to some extent.

14. While there had been little progress in the advancement of women at the national political level, women's participation in local politics was more positive. Women's participation at the senior levels of government and civil service had showed gradual improvement as well. Following enactment of the relevant legislation, the introduction of affirmative action into the boards of directors of government companies and into the civil service had contributed significantly to the advancement of women.

15. The representative concluded by drawing the Committee's attention to the employment of women in the security and defence forces. That participation had received extensive attention and been the subject of debate because of the important social role played by army service in Israeli society. The "glass ceiling" phenomenon could be seen in the defence forces, with women's promotion taking, on average, nine months longer than that of men.

Concluding comments of the Committee

Factors and difficulties affecting the implementation of the Convention

16. No basic law embodies the principle of equality or prohibits discrimination.

17. Israel maintains its reservations to articles 7 (b) and 16 of the Convention because women cannot become religious judges and because the religious laws that to a considerable degree govern family relations discriminate against women.

18. The persistence of a situation of conflict and violence between Jews and Palestinians hampers the implementation of the Convention and places much power in the hands of the army, where the most senior leadership posts are barred to women.

Positive aspects

19. The Government of Israel has submitted a very comprehensive and candid report, which deals with all the articles of the Convention in detail, from both legal and sociological standpoints.
20. Non-governmental organizations have considered this report and have submitted supplementary reports.
21. Israel for some time now has had advanced legislation on violence against women and equal employment opportunities.
22. Most Israeli women have a high level of education.

Principal areas of concern

23. Neither the Government nor the parliament has an overall plan consisting of the measures required to implement the Convention and the Beijing Platform fully.
24. There is no governmental machinery responsible for promoting and coordinating policies for women.
25. Non-Jewish women have worse living conditions than Jewish women. They have poorer health and a lower level of education, participate less in government service and employment in general and occupy hardly any decision-making posts.
26. There are still instances of polygamy, forced marriage and genital mutilation, as well as crimes of honour.
27. A very low percentage of women occupy political decision-making posts; this situation has barely changed over the years.
28. A marked disparity exists between the average earnings of women and men.
29. Many more women than men work in the informal sector and perform unpaid work.
30. The public health system allocates considerable resources to in vitro fertilization, yet contraceptives are not free of charge.
31. A large number of women are arrested for prostitution.
32. Despite the existing legislation, cases of violence against women still occur frequently.

Suggestions and recommendations

33. The right to equality and the prohibition of discrimination should be reflected in a basic law.

34. Israel should complete the secularization of its legislation on marriage and family relations and withdraw its reservations to the Convention.
35. The Government of Israel should ensure that the Convention is implemented throughout the territory under its jurisdiction.
36. The Committee repeats its conviction that, as stated in the preamble to the Convention, full development and the cause of peace require the maximum participation of women on equal terms with men in all fields, and it recommends to the Government of Israel the adoption of all necessary measures to ensure peace with the participation of all women, Jewish and Christian, Muslim and Druze alike, so that they may exercise their rights fully and so as to promote equality of opportunities in economic and social development, with particular attention being paid to women living in rural areas.
37. The Government or the parliament should adopt an overall plan for the implementation of the Convention and the Beijing Platform through specific measures and within a definite time-frame.
38. The Committee looks forward to the adoption of the bill creating the governmental machinery to be known as the "Authority on the Status of Women".
39. Steps should be taken to intensify the measures aimed at improving the health, education and employment of non-Jewish women, particularly those living in rural areas. In addition, their participation in the civil service and in decision-making posts should be increased.
40. The Committee recommends to the Government of Israel that it boost its efforts and expand its action to eliminate violence against women, especially violence within the family, in all communities.
41. The Government of Israel must take the necessary steps to eliminate forced marriages, genital mutilation, crimes of honour and polygamy, which cannot be justified on any cultural grounds.
42. The value of unpaid work should be included in the national accounts through satellite accounts.
43. Some of the resources allocated to the treatment of infertility should be used to study its causes and its prevention.
44. Contraceptives should be included among the medicines which the public health services supply free of charge.
45. The Committee would like Israel's next report to include information on:
- The status of disabled women;
 - How indirect discrimination in the workplace is dealt with;
 - The leave entitlement of mothers and fathers for the birth of a baby or when they have young children, and the actual use made of such entitlement;

The impact on the social roles of women and men of programmes aimed at changing stereotypes.

46. The Committee requested wide dissemination of the above concluding comments in Israel so as to make individuals aware of the steps that had been taken to ensure de facto equality for women and the further steps that are required in this regard.





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**ADOPTION OF THE REPORT OF THE COMMITTEE ON THE ELIMINATION
OF DISCRIMINATION AGAINST WOMEN ON ITS SEVENTEENTH SESSION**

Draft report

Rapporteur: Ms. Aurora JAVATE DE DIOS

Addendum

**IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES
PARTIES UNDER ARTICLE 18 OF THE CONVENTION**

B. Consideration of reports

1. Third periodic reports

Australia

1. The Committee considered the third periodic report of Australia (CEDAW/C/AUL/3) at its 352nd and 353rd meetings, on 18 July 1997.

2. The report was introduced by the Assistant Secretary, Office of the Status of Women, Department of the Prime Minister and Cabinet. She explained that the report before the Committee had been prepared in 1993 as a supplementary report to Australia's second periodic report and had been submitted to the Secretariat as Australia's third periodic report in 1994. In stressing her Government's commitment to its treaty obligations, she regretted its inability to prepare a formal supplementary report for consideration by the Committee at the current stage, but noted that Australia had produced an implementation plan for the Beijing Platform for Action which was available to the Committee for information. The detailed answers to the questions on notice would provide the Committee with an up-to-date picture of the status of women in Australia. Noting the high standards of Australia's past reports as well as past practice,

she regretted that the present report had not benefited from the involvement of non-governmental organizations. She indicated her Government's intention to combine the fourth and fifth periodic reports for the Committee's consideration in the beginning of the next century.

3. In her introductory statement, the representative of the State party noted that a robust framework of anti-discrimination legislation, positive measures, strategies and programmes had been put in place since ratification of the Convention in 1983. Government-funded services for women, specialized governmental machinery, and attention to women's health, educational curricula, violence against women, employment and women's participation in public life had resulted in a record of achievement which was significant by world standards. At the same time, the Government was aware of the need to address a number of specific areas where women's equality remained to be achieved.

4. As to the reservations Australia had entered to the Convention, the representative noted that while significant progress had been made towards the provision of comprehensive maternity leave, the Government was not in a position to remove the reservation regarding paid maternity leave. On the other hand, a modification of the reservation regarding "combat-related" employment in the armed forces was being considered.

5. The change in Federal Government following the March 1996 elections brought a fresh approach. In strengthening a gender mainstreaming policy, responsibility for gender issues, which had become concentrated in the Office of the Status of Women, has now been entrusted to all areas of the Commonwealth bureaucracy. Specialist units in line departments have responsibility for enhancing linkages and cooperation, including cooperation with women's organizations. A tight fiscal environment where tax increases or budget deficits were not considered to be means for covering shortfalls led to difficult choices, but she emphasized the Government's commitment to expanding opportunity and choice for all.

6. While major advances had been achieved in the area of domestic violence over the last 20 years, it remained a significant area of concern, requiring a more comprehensive approach to prevention and response. A National Campaign Against Violence and Crime will address, *inter alia*, domestic violence. A recent programme had assisted in decreasing the incidence of family violence in Aborigines and Torres Strait Islanders communities. The portrayal of violence in the media is also receiving attention.

7. Australia was one of the few countries with a national women's health policy, and new efforts were under way better to understand women's specific health needs. Programmes and services were implemented to improve the health of Aboriginal and Torres Strait Islander women, including resource allocation. In order to address immigrant women's and girls' risk of female genital mutilation, legislation to ban the practice has been introduced in most Australian states and territories, and programmes to prevent it have been developed.

8. New temporary measures have been introduced to increase women's participation in politics at the state and federal level. Rather than to rely on quotas, the Government had chosen other means, such as mentoring, executive

searches, etc., to increase the number of women in politics. The last federal elections had seen a significant increase in the number of women parliamentarians. There had been an increase in the percentage of women in the Cabinet, in state and local government as well as in political parties.

9. Women's representation in decision-making and management in the private sector was increasing slowly. The Affirmative Action Agency's Awards to recognize worthwhile employers' initiatives, as well as other measures, such as education strategies and the waiving of annual reporting requirements for organizations having implemented high-quality affirmative action programmes over three-year periods, were among the strategies used.

10. The Government was committed to women's greater participation in the paid labour market through the promotion of greater flexibility in the workplace, continuing support for childcare and a broadening of options in employment and training. Women's participation in the labour force had grown by 30 per cent in the past 10 years, almost double the increase for men.

11. The new legislative basis for industrial relations, adopted in 1996, included provisions for parental leave and the prohibition of employment termination for reasons of, *inter alia*, family responsibilities. Other provisions expected to benefit women in particular were the removal of restrictions on regular part-time work and the capacity to formalize individual workplace agreements. An Office of the Employee Advocate had been established to provide advice and assistance in this regard. She noted that wage gaps between men and women remained. She also noted that a comprehensive income security safety net was available which benefited women to a greater extent than men.

12. In addressing disadvantages experienced by indigenous populations, the Government was committed to reconciliation between Aboriginal and Torres Strait Islanders and the larger Australian community. Indigenous women were playing an active role in these efforts.

13. She noted that the High Court Mabo (No. 2) decision of 1993, which overturned the *terra nullius* doctrine and recognized the existence of native title, did not refer to gender as affecting the recognition of native title.

14. In order to ensure better options for indigenous women, recommendations contained in a report which had been submitted to Parliament in May 1997 were being considered by the Government. A number of new initiatives, including the Aboriginal and Torres Strait Islanders "Healthy Women - Strong Families" Initiative which had been announced at the Beijing Conference, were aimed at improving the health status of this group of women.

15. The representative concluded that the Australian Government believed that far-reaching cultural and economic changes required the support and acceptance of the community. She pledged Australia's determination to build on its existing achievements so as to ensure that women participated fully in all aspects of life so that their families, their communities and Australia would prosper.

Concluding comments of the Committee

Introduction

16. The Committee commended the Government for its past initiatives and efforts to promote and protect the human rights of women nationally and internationally. Australia's leadership for the advancement of women at the Fourth World Conference on Women and its initiative to make it into a "conference of commitment" were particularly noteworthy. The Committee took note of the fact that Australia had prepared a comprehensive national action plan to implement the Beijing Declaration and Platform for Action and provided a copy to each member of the Committee. The Committee appreciated the comprehensive introductory statement and detailed responses provided to the Committee's written questions by the representative.

17. However, the Committee noted that the third periodic report did not comply with the Committee's reporting guidelines for periodic reports and that the lengthy oral presentation impeded dialogue. The Committee also noted that the third report essentially reiterated information that had been considered at the time of presentation of Australia's second periodic report in 1994. At the same time, given Australia's experience in reporting under the Convention, it could have combined its third periodic report with the fourth, which was due in August 1996, to enable the Committee to explore more fully the developments which had taken place since 1995 when the third report was submitted.

18. As there seems to be misunderstanding about the status of Australia's reports under the Convention, for the sake of clarification the situation is as follows:

<u>Report</u>	<u>Date due</u>	<u>Date submitted</u>	<u>Considered</u>
Initial report	August 1984	October 1986	1988
Second periodic report	August 1988	July 1992	1994
Third periodic report	August 1992	March 1995	1997
Fourth periodic report	August 1996	Not submitted	
Fifth periodic report	August 2000		

Factors and difficulties affecting the implementation of the Convention

19. The Committee was aware that Aboriginal and Torres Strait Islander women continued to face discrimination and disadvantages in terms of access to rights, opportunities and resources. The changing role of government in terms of public expenditure and the ongoing decentralization of responsibility in a number of areas, from the federal to territorial/state Governments, including in health, has an impact on the legal and practical implementation of the Convention. Australia continues to have two reservations to the Convention, one with regard to paid maternity leave and one with regard to "combat-related" employment in the armed forces, which constitute an obstacle to the full implementation of the Convention.

Positive aspects

20. Australia's commitment to the full implementation of the Convention and to the realization of the human rights of women was reflected in such legislative and administrative efforts as the New National Agenda for Women of 1993, the Sex Discrimination Act of 1984 and Amendment of 1995, the Human Rights and Equal Opportunity Act of 1986 and its amendments, the review of the Affirmative Action (Equal Employment Opportunity for Women) Act of 1986, the annual Women's Budget Statement, the Register of Women maintained by the Office of the Status of Women, and the Office of the Sex Discrimination Commissioner.

21. The Committee welcomed Australia's pioneering role in addressing violence against women and the measures and strategies that had been put in place to prevent and eliminate it. It commended the Government (Bureau of Statistics) for the establishment of the first comprehensive national statistical profile on the extent and nature of violence against women, and for its strong commitment to reducing the incidence of domestic violence including through preventive measures. The recommendations emanating from a National Domestic Violence Forum in September 1996 and the convening of a National Domestic Violence Summit in 1997 were considered to be important steps to raise awareness about the issue and to contribute to the creation of a climate that would no longer tolerate such violence.

22. The Committee welcomed the existence of a national health policy for women, which had been established in 1989, and for which funding was currently allocated for financial year 1998-1999. The policy's participatory approach in providing innovative primary health care and in emphasizing services for disadvantaged groups of women, including Aboriginal and Torres Strait Islanders, and migrant women were commendable, as was the inclusion of women's reproductive health and sexuality among its seven priority issues.

23. Legislation enabling the Government to prosecute Australians who committed sexual offences abroad was also commended.

24. The preparation by the Law Reform Commission of a report on equality of women before the law was an important step in further strengthening women's equal access to justice and in eliminating discrimination and gender bias in areas such as legal aid, violence against women, immigration and refugee law. The recommendation of the Commission to enact an Equality Act which could lead to the entrenchment of equality legislation in the Constitution would, if implemented, reinforce Australia's leadership role with regard to women's equality.

25. The Committee applauded the Government's intention to ratify the amendment to article 20, paragraph 1, of the Convention concerning the Committee's meeting time and noted with satisfaction Australia's support for the preparation of an optional protocol to the Convention on a complaints procedure and the initiation of domestic consultations in that regard.

26. The Government's past close cooperation with the non-governmental community in preparing its reports to the Committee was applauded.

Areas of concern

27. The Committee was concerned about the Government's apparent shift in attention and commitment to the human rights of women and the achievement of gender equality. Indications such as the cut by 38 per cent in the budget of the Office of the Status of Women gave rise to concern. While increased efforts at gender mainstreaming into all sectoral areas were commendable, the Committee was concerned about the weakened role of national machinery in providing policy advice on equality issues and in monitoring the effective implementation of such policies. The discontinuation of the women's budget statement, as well as of the national register of women, were regrettable since both had served as a model for other Governments embarking on similar exercises.

28. The Committee was alarmed by policy changes that apparently slowed down, or reversed, Australia's progress in achieving equality between women and men, such as in housing and childcare programmes, and in employment assistance. It was concerned about the delay in appointing a Sex Discrimination Commissioner and about the Government's declared intention to change its human rights policy and legislation as it pertained to women.

29. The Committee expressed its concern that at a time of fiscal constraint, resources for programmes and policies benefiting women or aimed at overcoming discrimination, such as in health, in the provision of legal aid services, of training and awareness programmes for health workers, judicial, professional and others on violence against women, might be subjected to disproportionate budget cuts.

30. The Committee noted with concern that violence against women, notwithstanding major efforts, remained a central concern to Australian women, 7 per cent of whom experienced some type of violence in the course of a year. It noted the absence of data concerning violence against Aboriginal and Torres Strait Islander women and assessment of programmes directed at reducing such violence.

31. The Committee was also concerned about paedophilia and sex tourism involving Australian men, primarily in Asian countries, and the situation of women brought to Australia as brides.

32. The Committee noted with concern that new legislation on industrial relations providing for the negotiation of individual contracts between employer and employee may have a disproportionately negative impact on women. Part-time and casual workers, of which women formed a disproportionate share, are usually in a weaker position than other workers to negotiate favourable working agreements, in particular with regard to benefits. The reservation to the Convention with regard to paid maternity leave, and Australia's non-ratification of ILO Convention 103, remained a concern for women workers with family responsibilities.

33. The Committee was concerned at the continuing adverse situation of Aboriginal and Torres Strait Islander women. Their situation, as well as that of migrant women workers, was further compromised by an apparent rise in nationalism. Major causes of concern included a higher incidence of maternal

mortality, lower life expectancy, a high incidence of violence, including domestic violence, and high unemployment rates among minority women.

Suggestions and recommendations

34. The Committee recommended that the Government should carefully monitor the impact of recent policy changes in all areas covered by the Convention for inclusion in its next periodic report. To that end, it recommended that Australia conduct analyses of the successes and shortcomings of the new policies with a view to providing data for future action, both in Australia and elsewhere. It recommended that the Government design a long-term strategy aimed at the full implementation of the Convention.

35. In particular, the Committee recommended that an evaluation should be conducted of the Workplace Relations Act of 1996, assessing its impact upon women of different age groups, with different educational levels and in different occupational groups. The Government should assess whether the Act leads to increased or decreased part-time and casual work, and its impact on women workers' benefits and on workers with family responsibilities, particularly women's ability to obtain maternity leave. A similar evaluation and assessment was recommended for Australia's new childcare benefit scheme.

36. The Committee encouraged the Government to assess the benefits of a continuing national women's health policy and to ensure that any further change in that policy did not lead to a decreased access by women, especially vulnerable groups of women, to comprehensive health services. It also recommended that data and indicators on health should be collected, disaggregated by sex, age, ethnicity, rural/urban areas and other distinctions. Data should also be collected on the impact of the shift in responsibility for health care from the federal to the state level.

37. The Committee recommended that the Convention, as well as the Beijing Declaration and Platform for Action should be translated for non-English-speaking Australians.

38. The Committee recommended that a comprehensive strategy to eliminate violence against women should be adopted following the National Domestic Violence Summit, with an emphasis on prevention, and with sufficient funding. It also recommended that ways should be found to involve women's groups in the development of strategies to reduce violence in the media, including electronic media, and that they should participate in the development of self-regulatory codes of practice of the media. The Government should further assess its monitoring and enforcement responsibilities in that regard.

39. The Committee noted the differing state provisions in relation to prostitution and encouraged the Government to assess the effectiveness of the varying measures in reducing the exploitation of prostitution.

40. The Committee encouraged the Government to collect statistical data on the participation of indigenous women in the workforce, in decision-making, in politics and administration, and in the judiciary. It suggested that the

Government might include representatives of indigenous communities when it presented its next report to the Committee.

41. The Committee recommended that, in the light of the Mabo and Wik judgements of the High Court, the Government should develop the necessary legislative and policy measures to ensure women's equal access to individual ownership of native land.

42. The Committee encouraged the Government to strengthen its support for women's studies, to provide funding for research and teaching, and to facilitate international academic exchange and cooperation in that field.

43. The Committee encouraged the Government to resume its active and visible participation in international forums on women's equality, such as in the Commonwealth and the United Nations.

44. The Committee requested the wide dissemination of these concluding comments in Australia so as to make individuals aware of the steps that had been taken to ensure de facto equality for women and the further steps that are required in this regard.



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ADOPTION OF THE REPORT OF THE COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN ON ITS SEVENTEENTH SESSION

Draft report

Rapporteur: Ms. Aurora JAVATE DE DIOS

Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

5. Second and third periodic reports of States parties

Argentina

1. The Committee considered the second and third periodic reports of Argentina (CEDAW/C/ARG/2 and Add.1 and 2 and CEDAW/C/ARG/3) at its 155th and 156th meetings, on 22 July 1997.

2. In introducing the reports, the representative of Argentina pointed out that the country had undergone profound changes since the National Government had taken office in 1989. During that time, programmes on health, education and social welfare had been transferred to the provinces in order to strengthen the federal system.

3. The reform of the National Constitution in 1994 was an important step towards the achievement of equality for Argentine women. Most international human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women, now have constitutional status and are

therefore considered complementary to the rights guaranteed in the text of the Constitution. Furthermore, the new Constitution promotes affirmative action in order to achieve de jure and de facto equality. It also reaffirms the need for special security regulations to cover women during pregnancy and lactation.

4. The representative indicated that the National Council for Women had developed a strong policy for monitoring the application of the Law of Quotas, which had led even to the presentation of legal actions demanding that lists of political parties which did not comply with the requirements of the law be declared non-official.

5. The representative stressed the high status of the National Council for Women, which is located at the ministerial level and reports directly to the President of the Nation. The National Council has recently focused on decentralizing its structure by strengthening the machinery of the provinces. So far, Provincial Councils for Women have been established in 9 out of 24 provinces. The National Council also provides technical assistance and training to support the machinery at the provincial level.

6. Regarding the status of women in the labour market, the National Council for Women has established close cooperation with the Ministry for Labour and Social Security, aimed at promoting women in the labour force.

7. In order to disseminate information on the rights of women, the National Council for Women has distributed 35,000 free copies of a bimonthly magazine and a CD-ROM containing information on the national and international legislation in the field of women, including the Convention on the Elimination of All Forms of Discrimination against Women and the Beijing Platform for Action.

8. The representative informed the Committee about measures taken to prevent violence in the family and to assist the victims of violence. Special Centres for Information and Advice and permanent telephone services have been established. An agreement between the National Council for Women and the Ministry of Justice has proposed a training programme for councillors and officials who deal with victims of violence. Together with the United Nations Children's Fund (UNICEF), the National Council for Women has launched a national training programme on violence against women.

9. The representative stated that, at all educational levels, women constitute more than 50 per cent of the students. The Ministry of Education and Culture has established a special entity in charge of women's affairs. Its activities include the revision of curricula, training of staff in the provinces and a research competition relating to women in the educational system.

10. The representative indicated that women's health has improved throughout the last decade. The life expectancy of women increasingly exceeds that of men and maternal mortality rates have gone down. The Ministry of Health has launched training programmes to promote women's health issues.

11. In order to support rural women, a project that provides training and credit facilities for women farmers was set up in 1989.

12. The Secretariat of Natural Resources has declared its commitment to include a gender perspective in all programmes and policies, as requested in the Beijing Platform for Action.

13. The Representative informed the Committee that measures had been taken for the full implementation of the Integrated System of Retirement Pensions of Housewives approved by Law 24.828. Furthermore, bills have been presented to the National Congress to regulate labour relations concerning domestic services and their retirement system.

14. The representative concluded by mentioning that legal measures are in preparation to ensure that women receive alimony; a bill creating a national register of those in default of alimony payments has already been passed by the House of Representatives and is pending in the Senate.

Concluding comments

Positive aspects

15. The positive events that have taken place include the following:

(a) The granting to the Convention of a normative status on a par with the Constitution;

(b) Constitutional recognition of the competence of the National Congress to adopt affirmative-action laws in order to guarantee equality of opportunity and treatment in all spheres and especially to promote access by women to elective and party offices;

(c) An increase in the number of women parliamentarians, due to the effective application of the Quotas Act;

(d) Constitutional recognition of the right of persons affected, of the High Commissioner and of associations that meet certain requirements to take speedy amparo proceedings against acts or omissions that harm or threaten rights recognized by the Constitution;

(e) The existence of the Federal Women's Council and of the National Women's Council, organs entrusted with the task of promoting and coordinating policies of equality.

Principal areas of concern

16. Reform of the Penal Code, in order to bring it into line with the provisions of the Convention, is still pending.

17. Women have been affected by the economic reforms and by the amendments to the labour and social-security laws which were adopted recently.

18. Stereotypes persist with regard to the social roles of women and men.

19. The percentage of women pursuing technical careers continues to be low.

20. The reports of the Government of Argentina lack data and an analysis concerning the situation of women who are subjected to slavery and exploitation for prostitution.

21. Women occupy few managerial posts in the private sector.

22. The rate of unemployment for women (20.3 per cent) is five percentage points higher than that for men (15.7 per cent).

23. There are no regulations governing the labour relations of domestic employees.

24. There are no regulations to penalize sexual harassment in the workplace in the private sector.

25. Maternal mortality and morbidity due to childbirth and abortion remain high.

26. Women in rural areas have worse living conditions.

Suggestions and recommendations

27. There is a need to reform the Penal Code as soon as possible in order to bring it into line with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, the general recommendations of the Committee and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women.

28. The Government's plans for equality should be pursued and strengthened and their results should be evaluated in a more systematic way and described in the next periodic reports submitted to the Committee.

29. Programmes designed to eliminate stereotyping of the social roles of women and men need to be maintained and reinforced. For example, efforts should be made to increase the number of women pursuing technical careers and occupying positions traditionally considered a male preserve, and to ensure that men share with women the task of caring for the children.

30. Services for the care of young children who have not yet begun compulsory schooling should be increased and regulated.

31. Programmes to increase awareness among the police, judges and health-care professionals concerning the gravity of all forms of violence against women should be maintained and strengthened.

32. The Committee requests the Government of Argentina to include in its next report legal and sociological information relating to article 6 of the Convention.

33. The Committee requests the Government of Argentina to provide information on measures taken to avoid, in both the public and the private sectors, discrimination in access to employment and to apply the International Labour

Organization Conventions No. 105 on equal remuneration and No. 156 on family responsibilities.

34. The labour relations of domestic employees should be regulated.

35. Sexual harassment occurring in the workplace in the private sector should be penalized.

36. In accordance with general recommendation 17 of the Committee and with the Beijing Platform for Action, the Government of Argentina should place a value on unremunerated work and include it in national accounts by means of subsidiary accounts.

37. The Committee considers it necessary that gender-disaggregated statistics relating to education, employment and social security should be supplemented, in particular by giving:

- The number of teachers at the various levels of the education system;
- The number of students receiving grants;
- Part-time work;
- The number of open-ended contracts and those of a specific duration;
- Average pay;
- Average retirement pension.

38. Programmes designed to promote employment of women, particularly young women, should be intensified.

39. There should be increased efforts to reduce maternal mortality and morbidity.

40. Legislation which penalizes mothers who have abortions should be reviewed.

41. Programmes and services directed towards rural women should be strengthened.

42. The Committee requests that the Government of Argentina widely disseminate these comments throughout Argentina, so that individuals are aware of the measures that have been taken to implement the Convention and the remaining steps that are required to achieve de facto equality for women.



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Draft report

Reporteur: Ms. Aurora JAVATE DE DIOS

Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

5. Third and fourth periodic reports of States parties

Bangladesh

1. The Committee considered the combined third and fourth periodic reports of Bangladesh (CEDAW/C/BGD/3-4) at its 157th and 158th meetings, on 21 July 1997.

2. In his opening statement, the representative of Bangladesh confirmed his country's commitment to the advancement of women, which was a priority commitment of the Prime Minister. The Minister informed the Committee that a number of constitutional and policy measures had been introduced, including the adoption of a National Policy for Women's Development and the elaboration of a National Action Plan for the Implementation of the Beijing Platform for Action. These were both ground-breaking documents and would make real changes in women's status and position. The Minister noted that his country had been able to achieve considerable progress in the advancement and empowerment of women, despite serious obstacles.

3. The Minister announced that Bangladesh was withdrawing its reservations to articles 13, paragraph (a), and 16, paragraph 1 (f), of the Convention.

4. Another member of the delegation presented the combined third and fourth periodic report, recalling that the fourth periodic report had been submitted ahead of time as an expression of her country's commitment to the Convention and the promotion of women's rights. She indicated that the report, after being prepared, had been formally presented to more than 150 representatives of non-governmental organizations at a day-long workshop organized by the Ministry of Women's and Children's Affairs.

5. The representative noted that, according to development indicators relating to life expectancy, education and health, women's status in Bangladesh was lower than that of men's. Forty-eight per cent of the rural and 44 per cent of the urban population lived below the poverty line, with women suffering chronic nutritional deficiencies that were aggravated during pregnancy and lactation. A birth rate as high as 4.6 live births contributed to a cycle of high maternal mortality, malnutrition, low birth weight babies and infant mortality. The maternal mortality rate was one of the highest in the world (450 deaths per 100,000 live births). Progress in the removal of disparities was slow since women were subject to discrimination both in cultural practice and in personal law.

6. The representative described interventions and strategies to improve the status of women. The Government, assisted by non-governmental organizations, had taken special measures to promote girls' enrolment and retention at the primary and secondary levels of education, to target girls in non-formal education and to direct them towards non-traditional fields of study. A quota system had been introduced to accelerate recruitment of female primary school teachers.

7. In the field of employment, the representative informed the Committee of the quota system applicable to all types of public employment, reserving 10 per cent of recruitment to gazetted posts and 15 per cent to non-gazetted posts, with a view to facilitating entry and thereby increasing the number of women.

8. The Committee was informed about increases in women's economic participation as a result of self-employment-generating credit programmes run by the Government and non-governmental organizations. The Bangladesh experiment of providing women access to credit, and notably the Grameen Bank model, had been replicated abroad.

9. The representative pointed out that Bangladesh had made history by having two women succeed each other as Prime Minister and the Leader of the Opposition in Parliament. The phenomenal turnout of women in the 1996 Parliamentary elections showed that women as voters were gaining visibility and political strength. However, very few women had been elected to Parliament through direct electoral process. Thirty seats had been reserved for women in Parliament, in addition to the 300 seats elected directly from territorial constituencies. The Constitution provided reserved seats in all municipal and local government

bodies for women, and this had had a positive impact in ensuring a minimum representation of women.

10. With regard to violence against women, the Committee was informed about the incidence of violence, such as murders of wives as a result of non-payment of dowry, custodial rape, including rape by members of law enforcement agencies, and violence at the community level by pronouncing fatwas and misinterpreting religion. The representative described the multi-sectoral action programme being undertaken by the Ministry of Women's and Children's Affairs to address violence against women, including trafficking of women and girls.

11. Turning to the legal framework, the representative pointed out that the disparity between *de jure* and *de facto* rights was due to legal illiteracy of women and men and various weaknesses in law enforcement. A Permanent Law Commission had been established by the Government to review existing laws and enact new ones to safeguard women's rights and to prevent violence against women.

12. The representative described the national machinery and institutional framework to combat gender inequality. The National Council for Women's Development, a 44-member body, was headed by the Prime Minister and comprised ministers and secretaries from several line ministries, public representatives and eminent individuals. The establishment of an Interministerial Coordination and Evaluation Committee, headed by the Minister for Women's and Children's Affairs, was envisaged. She noted that Bangladesh had been one of the first countries in the world to establish a full-fledged Ministry of Women's and Children's Affairs, which included a Department of Women's Affairs as its implementing arm.

13. The representative informed the Committee that her country had taken serious steps to implement international commitments in the follow-up to the Fourth World Conference on Women and the International Conference on Population and Development, as well as legal obligations enshrined in the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child. She concluded by saying that the Convention and the Platform for Action had been translated into Bangla and widely disseminated. The National Action Plan offered detailed action programmes to implement the Platform for Action in Bangladesh.

Concluding comments of the Committee

Introduction

14. The Committee commended the Government of Bangladesh for its comprehensive, frank and clear written and oral presentations, which followed the guidelines of the Committee and responded to most of the questions raised by experts.

15. The Committee also welcomed the high-level Delegation headed by the Minister of Women's and Children's Affairs assisted by several distinguished experts from other agencies, academe and non-governmental organizations, which reflected the importance accorded by the Government to the Committee.

16. The Committee especially welcomed and applauded the decision of the Government of Bangladesh to withdraw its reservations to article 13, paragraph (a), and article 16, paragraph 1 (f). It commended the leadership and political will of the Government in leading the way for other countries with similar reservations to also consider lifting their reservations.

17. The Committee noted and appreciated the close collaboration between the Government and non-governmental organizations in the course of the preparation of the report, as well as the efforts of the Government to disseminate its report to a wide range of women's groups and organizations.

Factors and difficulties affecting the implementation of the Convention

18. The sluggish economic growth of the country coupled with frequent natural calamities such as typhoons and floods posed serious constraints to the ability of the Government to provide adequate resources for women's programmes and projects.

19. Prevailing stereotyped attitudes and practices justified on religious grounds create a social environment for the acceptance of discrimination against women, thus impeding the full implementation of the Convention.

Positive aspects

20. The Committee noted the existence of constitutional guarantees to equality between women and men, as well as laws ensuring the equality and protection of women.

21. The Committee expressed satisfaction at the high status accorded the Ministry of Women's and Children's Affairs in the Government.

22. The Committee appreciated the inclusion of women's concerns in all of the development plans of the Government. This was strengthened by the declaration of the Policy on Women's Advancement, which is the main blueprint of the Government for the implementation of the Beijing Platform for Action.

23. The Committee likewise noted the positive impact of the presence of 36 reserved seats for women in Parliament and the local bodies, as well as in the public sector. It especially appreciated the fact that Bangladesh was one of the few countries in the world with a female Prime Minister and a female head of the Opposition.

24. The Committee noted with appreciation the emphasis placed by the Government on increasing literacy among women and girls, with the aim of achieving education for all by the year 2000.

25. The Committee lauded the Government's efforts to popularize and disseminate the Convention by translating the Convention into Bangla.

26. The Committee appreciated the Government's openness and collaboration with women's non-governmental organizations in implementing its programmes on women.

Principal areas of concern

27. The Committee expressed serious concern over the alarming levels of violence against women in all its forms and the inability of the Government to enforce effectively existing laws as well as to provide immediate relief and justice to victims of such violence.
28. The Committee noted with concern that while education programmes had increased the level of literacy among girls and women since the last report, there was still a very large percentage of women and girls that had no access to education.
29. The Committee was concerned that available primary health and reproductive health services were still inadequate and often inaccessible to poor, rural and marginalized women. Moreover, family planning services still mainly targeted women, and not enough education on male responsibility in reproduction was being done.
30. On the matter of migrant women, the Committee noted the lack of discussion and measures to protect women migrant workers from Bangladesh in all stages of the migration process in the report.
31. The Committee expressed its concern over the continued prevalence of stereotyped and patriarchal attitudes towards women in society that undermine the Government's efforts to achieve equal status of women.
32. The Committee was seriously concerned about the poor working conditions of women workers in both the private and public sector. It was particularly concerned with the non-implementation of minimum wage levels and the lack of social and health benefits, including paid maternity leave, and the lack of adequate child care facilities in the manufacturing sector. It noted the lack of government monitoring of the conditions of women in the informal sector.
33. Lack of disaggregated statistical information, as well as timely research in critical areas like birth and marriage registration and incidents of violence against women, particularly in the most cruel forms such as acid throwing and dowry death, was noted by the Committee.
34. The Committee expressed serious concern at the absence of a separate prison for women, which posed serious threats to the security and protection of women offenders.
35. The Committee noted that although there are existing economic and micro-credit programmes for rural women, the trend towards globalization and liberalization of trade policies may have an adverse economic impact on the poorest of the poor, especially women in the rural areas.
36. The Committee expressed its concern over the Government's remaining reservations to articles 7 and 16, paragraph 1 (a). The Committee noted that it regards article 2 as a fundamental and core provision of the Convention, while article 16 is critical to the full enjoyment by women of their rights.

37. The Committee was concerned that while all development plans had included gender concerns and issues, their impact on women had not been adequately monitored and assessed.

38. The Committee also noted the absence of adequate information and analysis, as well as programmes, directed at addressing prostitution in general.

39. The Committee noted with serious concern the reported imposition of fatwas, using religious justification to punish women.

40. The Committee was concerned that despite affirmative action measures to encourage women's political participation, the number of women in decision-making positions was still small.

Recommendations

41. The Committee urges the Government of Bangladesh, in order to comply both with its own Constitution and the Convention, to review its remaining reservations to articles 2 and 16, paragraph 1 (a), with a view to eventually withdrawing them.

42. The Committee strongly urges the Government of Bangladesh to strengthen its enforcement and monitoring of existing laws, policies and mechanisms on violence against women in order to provide victims and survivors of violence with responsive and effective measures of protection and to prevent further violence.

43. The Committee strongly urges the Government of Bangladesh to set up a separate prison facility and comprehensive programme of rehabilitation for women prisoners.

44. In view of the impact of globalization on rural economics, the Government should give high priority to the issues and problems of rural women, especially their ownership of land and access to credit, loans and skills training in new agricultural technologies, with a view to strengthening their productive and employment capacity.

45. The Committee also recommends the strengthening of gender sensitization and training programmes for the judiciary, police and health professionals, particularly those relating to violence against women.

46. In order to combat social attitudes, prejudices and social and traditional practices that discriminate against women, the Committee strongly recommends that the Government strengthen education and public information programmes geared towards reinforcing more positive images and roles of women in society.

47. The Committee recommends that the Government pay particular attention to improving the wage levels and the terms and conditions of women workers in the export processing zones as well as in the informal sector.

48. The Committee encourages the Government of Bangladesh to strengthen its primary health and reproductive health services aimed at substantially improving the health and well-being of women.

49. The Committee likewise urges the Government to strengthen its mechanisms to protect migrant women workers from exploitation throughout the migration process, including by actively exploring bilateral and multilateral initiatives addressing this issue.

50. The Committee recommends that birth and marriages be systematically reported in order to ensure laws prohibiting child marriage and polygamy to be rigorously enforced.

51. In responding to the problem of trafficking of women and girls, the Committee recommends the stronger enforcement of the women and child suppression law of 1974, as well as provision of adequate assistance to women and girls victims of trafficking. The regional resolution on trafficking agreed to by the South Asian Association for Regional Cooperation in Maldives should be sustained and incorporated into actual programmes.

52. The Committee recommends that the Government undertake an impact assessment of development plans for women.

53. The Committee strongly recommends more proactive measures to harness the contribution of education programmes to women's literacy.

54. The Committee recommends that research on the root causes and consequences of prostitution be conducted to enable Government to respond accordingly.

55. The Committee requests wide dissemination of these concluding comments in Bangla Desh so as to make individuals aware of the progress that have been taken to ensure its facts reality for women and the further steps that are required in this regard.

56. The Committee recommends the continuation of affirmative action measures such as quota seats for women in Parliament, in local bodies and in the civil service. This should be accompanied by capacity building and skills training to enable women to participate actively in economic activities as well as in the civil service.